POLAR
PAM
5178

POLARPAM

BOREAL INSTITUTE
LIBRARY

CARVING UP ALASKA!

Americans are largely unaware of the issues as Congress prepares to sub-divide America's last frontier for a variety of special interest groups. Yet the decisions being made now will impact America for generations to come.

SUPPLEMENT TO
FAIRBANKS
Daily News-Miner
FRIDAY, MARCH 9, 1979

What's Best for America?

Digest of the Alaska Lands Issue

Rec'd: April 2/79
Order No.: Free
Price:
Acc. No.: Supplement
Fairbanks Daily News-Miner

34158

How it began

A century ago, Alaska was 'Seward's Folly; now, everyone wants a piece of the 49th State

By SUSAN FISHER
Staff Writer

So vast and diverse are Alaskan lands that the sheer size of them brings a sense of wonder even to those who have spent a lifetime within their borders.

Millions of acres are involved in a long-developing issue that has grown in complexity and sharp divisions of opinion on the future of the land, its use and ultimately the lifestyles permitted within the state.

The land issue has evolved for decades past with neither easy nor quick resolutions in sight. As time passes, new groups with different goals and philosophies form to join in the confrontations.

Many of those disputed issues will ultimately be decided in courtooms; others await congressional action.

Alaska, a $7.2 million bargain when the U.S. agreed to the controversial purchase in 1867, today has become the most promising cache of American resources.

But use of that potential is being questioned in the web of memories of past and irreparable land and environmental ravages in other states.

The conflict between development and preservation boils down to a settlement of the d-2 lands issue.

Land use, ownership, rights and lifestyles are not new issues to Alaskans, especially the Natives.

Before Alaska's "discovery," Indians, Eskimos and Aleuts had their own rules governing the land. Village boundaries and hunting territories were respected or the intruders paid the price for encroaching.

Ownership first was claimed by Russia, following the expedition of Danish captain Vitus Bering in 1741, sailing in behalf of Russia.

His discovery for the czar led to settlement and cultivation by Russians, initially for the rich furs to be obtained, later for other riches.

Russia succeeded in sealing its claim with a treaty with Great Britain in 1824, and another in 1825 with the United States, both establishing boundaries.

Under Russian control, Natives complained to the Czar that their wives and children were taken as hostages, men were forced to hunt and of other inhumane treatment.

There were mass killings of Natives in conflict with the Russians, but throughout compulsory servitude to Russia, the Alaskan Natives kept their lands. The Russians were exploiters, for the most part, not settlers in search of a new home.

A first attempt to sell Alaska failed in 1857, but 10 years later a Treaty of Cession was signed. Russia agreed to give up possession of all her lands in the Americas for $7.2 million in gold. It took Congress 18 months past the deadline to approve the payment.

Alaska's value then was greatly misunderstood by a Congress 6,000 miles away with little concept of what Secretary of State William Seward proposed acquiring. "Seward's Folly" cost the U.S. about two cents an acre.

Native leaders in the interior of the state were not aware of the transaction, and a few years later they objected that the Russians had been present only at their approval. The objections went unrecognized.

For its first 20 years as a U.S. possession, Alaska was governed by the Army and later the Navy. Schools and medical care were made available.

Steamships, a railroad, the gold rush, the growth of mining and fishing brought increasing numbers of white settlers.

But Natives were feeling the pinches of progress as canneries opened and subsistence fishing and hunting began running into weak competition with the commercial activities.

The Organic Act of 1884 made Alaska a district. An appointed governor and a court system were established, and Natives were promised protection for lands they used and occupied.

Twenty-two years later the Native Allotment Act provided the first opportunity for Natives to obtain land under restricted title.

By 1900, the number of non-Natives surpassed the number of Natives. The gap would continue to widen until today Natives account for about one-sixth of the Alaskan population.

Territorial status was achieved in 1912, and a two-house legislature was born, even though the federal government retained ownership and management of the lands.

What is believed to have been the first conference on Native land rights took place in 1915, attracting six Tanana chiefs among the 14 participants. Judge James Wickersham, Alaska's delegate to the conference, told them the Indians could protect their lands by taking individual allotments and asking for reservations. The chiefs rejected that idea.

The Alaska Native Brotherhood had been formed three years earlier with the intent of pushing for Native citizenship. The right to vote and be recognized as citizens would not come until 1924.

Through the years there were renewed promises of Native land protection. But 1934 brought the Indian Reorganization Act, allowing the Interior Department to establish Alaskan reservations.

Between 1941 and 1946, a series of reservations were established. Title was held in trust. But non-Natives were among opponents, fearing land-lockups of development.

In the meantime, the pressure for statehood was growing as proponents argued that statehood would mean more rights against arbitrary federal rules, restrictions and inaction.

The first statehood bill was introduced in 1916. The bill was not taken seriously. It would be another 30 years before congressional interest would be stirred. World War II placed Alaska in a new light as part of national defense strategy.

But the movement within Alaska was gearing up for a far different reason: self-government and reaction to federal controls.

"Having someone 6,000 miles away telling us how to run our affairs is mighty bitter medicine," Evangeline Atwood is quoted as telling a House committee in 1947. She and her husband, Robert, were among early organizers for statehood.

Ernest Gruening, a journalist, Alaskan governor and one of the state's first U.S. senators, now deceased, outlined the history in his book "The Battle for Alaska Statehood."

As a territory, Alaska's wealth and revenues were being drained off by outside interests. Mining, fishing and transportation interests were almost entirely absentee-owned, Gruening wrote.

Congress appeared to be turning a deaf ear. There was no funding for agriculture, Alaska was excluded from the Federal Highway Act. The Coast Guard office in Ketchikan, vitally needed, was closed. There wasn't enough money for fishery and wildlife protection, among an array of other complaints.

But even in the years before statehood there was confrontation on how much land Alaska would receive and how it should be used.

Gruening quotes Warner C. Gardner, acting chairman of the Interior, as objecting to land provisions in one bill transferring public lands to the proposed new state.

"This is contrary to the traditional practice which has been followed throughout the West when new states have been admitted to the union . . . The public lands in the territory were purchased for the United States for the benefit of the nation as a whole, and are, in effect, held in trust for the people of the United States."

"Congress, as the ultimate manager of the property of all the people, should not turn it over to the relatively few who live in Alaska to use as a source of revenue," Gardner is quoted.

There was also the growing question of unextinguished Native rights.

But a statehood bill passed in 1958, and the majority of Alaskans voted overwhelmingly to approve the act. President Dwight Eisenhower proclaimed Alaska a state early in 1959.

The act itself did not address Native land claims in specifics, but did recognize them and allow for the matter to be later resolved either through courts or Congress.

As a new state, Alaska had 25 years in which to select the 104 million acres promised in the Statehood Act.

The new state moved slowly on its selections. The 25-year time allowance permitted caution and deliberate selections.

Meanwhile, the Alaska Federation of Natives, a lobbying vehicle for Native organizations and groups, was maturing.

Alaska Natives achieved success in 1966 when the Secretary of

(See A CENTURY, page C-3)

Carving up Alaska!

The Alaska land issue is more than just an argument between development and wilderness. It's much more.

The question is not whether federal land in Alaska will be set aside for national parks, refuges and wilderness units. It's a question of how much will be set aside, and under what conditions.

The side issues surrounding the Alaska lands question are complex, and the special interests lobbying the Alaskan national-interest lands legislation are numerous:

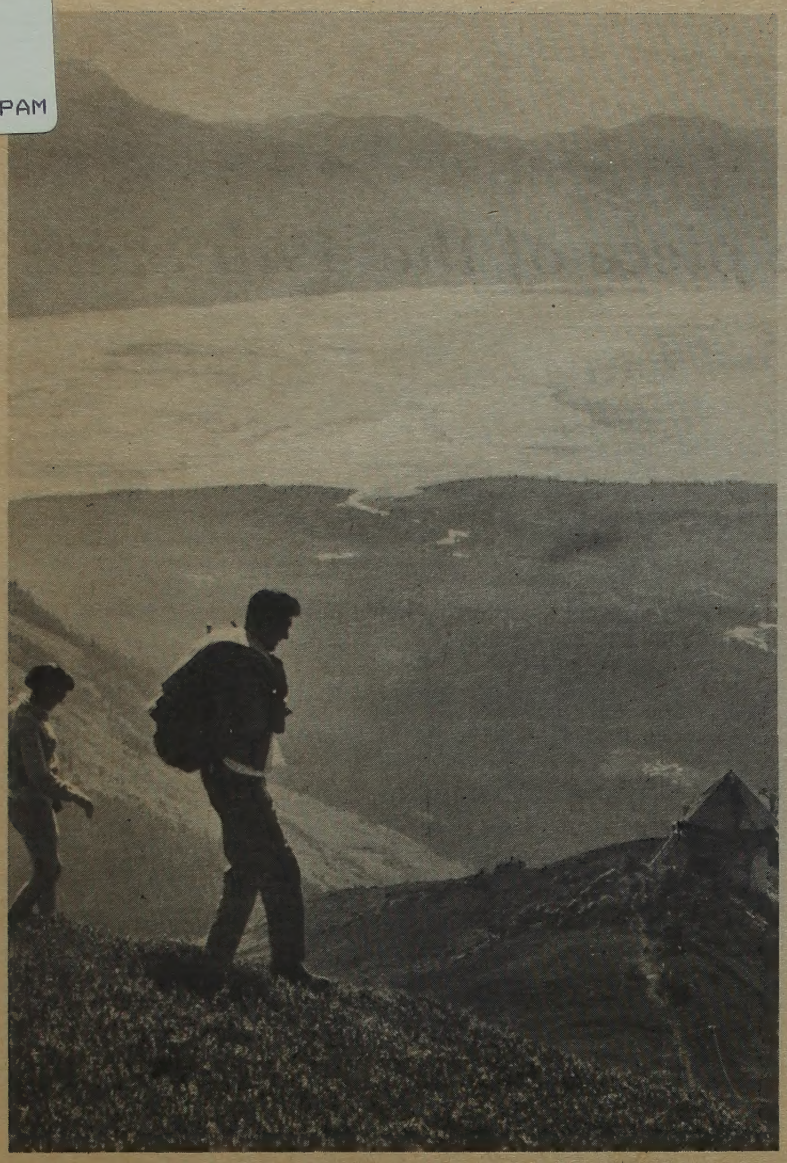
- **The developers want as much land as possible opened for petroleum and mineral exploration and development, arguing that national security as well as the economic stability of Alaska are at stake.**
- **The environmentalists want vast areas reserved for protection of wildlife and wilderness, arguing that a sizable portion of the 49th state must be left untouched for future generations.**
- **The state government wants an end to delays in conveyance of the 103 million acres promised to Alaska when it become a state 20 years ago.**
- **The Natives want the federal government to act more quickly in turning over land promised them in the Alaska Native Claims Settlement Act of 1971.**
- **The Natives also seek guaranteed access for subsistence hunting on federal withdrawals.**
- **The outdoorsmen want to continue to use the federal land for hunting, fishing, trapping and outdoor recreation without interference or restriction from the federal government.**
- **The average Alaskan wants an stable, healthy economy to provide him a job but doesn't want to sacrifice the unique Alaskan lifestyle he finds so attractive.**

Can these interests be balanced fairly and wisely in enactment of an Alaskan national-interest lands bill?

"Carving Up Alaska" is the product of a team reporting project by the Daily News-Miner. Local reporters and correspondents in Washington, D.C., and Juneau explain the complex Alaska lands issue. Their reports are contained in this special supplement to the Daily News-Miner.

POLAR
PAM
5178

POLARPAM



ALASKAN VIEW—Two hikers stroll near the top of the Mount Alyeska ski resort overlooking Turnagain Arm of Cook Inlet near Anchorage. *(Alaska Airlines photo by Bob & Ira Spring)*

A CENTURY . . .

(Continued from page C-2)

Interior Stewart Udall declared a "land freeze" until the Native claims were resolved.

Administrations changed, and President Richard Nixon chose the then governor of Alaska, Wally Hickel, for the Interior post. Hickel agreed to extend the freeze through 1970, in order to receive Native support for his confirmation to office.

Congressional hearings on the claims settlement issue were held in 1969, and in 1970 the AFN was dealt a blow with the Senate passage of a bill it opposed.

But 1970 also heralded a Supreme Court decision rejecting the state's appeal to end the land freeze. This resulted in a House subcommittee support for more land to be included in a settlement.

Early in 1971, three bills were introduced in the 92nd Congress, one of them vehemently opposed by AFN. Nixon's support for AFN positions was obtained, which meant lining up Republican votes in Congress.

Separate House and Senate bills were routed to a conference committee. The result was a 40-million-acre, $962.5 million settlement, with 13 regional corporations designated to carry out the provisions.

Nixon signed it into law in 1971 after the AFN gave its approval.

It would be section 17 d-2 of the Alaska Native Claims Settlement Act that would lead to confrontation. That provision allowed the Secretary of Interior to withdraw up to 80 million acres for study and possible inclusion as national interest lands.

D-2 gave Congress until Dec. 18, 1978, to make its designations.

The d-2 provision essentially was the result of environmentalists pressing for assurances of land and wildlife preservation.

Congress passed the Organic Act of 1976, giving the Bureau of Land Management full management of federal lands. Previously, the BLM had served a caretaker role, holding land titles. It would now be authorized to establish regulations.

D-2 battlelines were drawn as the issues of subsistence hunting, sport hunting, land access, parks, refuges, mineral rights, homesteading and other issues clashed.

The deadline drew near, and a compromise bill to clarify the d-2 provision failed in the final hours.

But there have been other federal actions in recent years adding to the furor. Among those were President Carter's imposition of the Antiquities Act in December, setting aside 56 million acres and ordering immediate study of an additional 39 million acres; and the Wilderness Act of 1964 and the Federal Land Policy Management Act.

Land history in review

1741—Vitus Bering expedition; followed by Russian exploration, limited settlement and claim to land ownership.

1867—U.S. buys Alaska, $7.2 million for 375 million acres. Alaska is governed by military; lands are federally-owned. Under the Treaty of Cession, Alaskan Natives are denied citizenship but prior land uses are allowed to continue.

1884—Organic Act passed by Congress. Status changed from a possession to a district, with provisions for an appointed governor and a court system.

1906—Native Allotment Act, gave Natives opportunity to obtain restricted titles.

1912—Alaska becomes a territory, with limited self-government, but territory acquired no title to land.

1915—Six Tanana chiefs and others meet in Fairbanks in perhaps the first conference devoted to Native land claims.

1916—First statehood bill introduced in Congress; bill does not pass out of conference committee.

1917—Mt. McKinley National Park established.

1926—Native Townsite Act allows opportunity for restricted deeds to village lots.

1934—Native Reogranization Act provisions extended to Alaska, permitting reservations for Native groups to be established.

1958—Statehood bill passes both houses of Congress; allows new state to select 103 million acres of land within 25 years of statehood. Native aboriginal claims to be settled later.

1959—President Eisenhower proclaims Alaska the 49th state. Also, Court of Claims rules Tlingit and Haida are entitled to compensation for lands taken from them by U.S.

1961—First regional organization, Inupiat Paitot, organized out of concern to protect aboriginal rights.

1963—Alaska Task Force, appointed by the Interior secretary, finds Organic Act lacking provisions for Natives to obtain title. Natives oppose the task force's recommendations of granting individual land, small acreages for village growth and designation without ownership of lands for food gathering.

1964—Wilderness Act for protection of all roadless tracts of 5,000 acres or more; bans all commercial enterprises, permanent or temporary roads, motorized vehicles or equipment, aircraft landings, etc.

1966—"Land freeze" imposed by Interior Secretary Stewart Udall until Congress action upon Native claims; suit is filed against Udall by the state.

1967—First bills to settle Native land claims are filed in Congress.

1968—Alaska Land Claims Task Force recommends a 40-million-acre land settlement, and a governmental study asserts Native land claims to be valid.

1970—U.S. Senate passes a land claims bill.

1971—Native claims bills pass both houses and are routed to a conference committee. A compromise bill is passed by Congress. President Richard Nixon signs Alaska Native Claims Settlement Act on Dec. 18, authorizing transfer of 40 million acres and awarding $962.5 million compensation, to be handled by Native corporations.

1972—Gov. William Egan and Interior Secretary Rogers C.B. Morton jointly announce an out-of-court settlement on 80 million acres selected by the state but challenged by the federal government. The state gives up 42 million acres of its selections, but Egan declares it a victory in obtaining more desired lands and paving the way to negotiations.

1976—Congress passes Organic Act giving the Bureau of Land Management authority to manage federal lands, including power to establish land-use regulations.

July 1978—Governor signs Municipal Land Selections Act, allowing 11 borough units to select about 860,000 acres.

October 1978—Congressional compromise bill on d-2 fails.

November 1978—Secretary of Interior withdraws 110 million acres for three years under the BLM Organic Act.

December 1978—President Carter imposes 1906 Anitquities Act, designating 56 million acres as national monuments and ordering immediate study of additional 39 million acres for possible inclusion in the national wildlife refuge system.

COLUMBIA GLACIER—The Columbia Glacier, one of Alaska's most impressive reminders of the Ice Age, spills into Prince William Sound near Valdez.
(Alaska Airlines photo by Bob & Ira Spring)

Statehood

Promises were made, but not kept

By SUSAN FISHER
Staff Writer

Twenty years ago as Alaska entered the Union, the question of state lands appeared to be resolved for the time being.

The new state had 25 years to select its promised 103 million acres from "vacant, unappropriated, unreserved" federal land. As a territory, all but one per cent of its lands were federally-owned.

And in order to achieve statehood—a battle that spanned 43 years—the subject of a Native land claims settlement was pledged to be resolved later.

But the simple promises made to the 49th state 20 years ago have become a tangle of increasingly complicated land issues.

None of the statehood proponents could have predicted the most massive Native land claims settlement in American history. They could not have foreseen Prudhoe Bay oil development, the further withdrawal and restriction of federal lands, or a controversial "d-2" provision.

How has the state fared under the Alaska Statehood Act?

Officially proclaimed on Jan. 3, 1959, by President Eisenhower, the new state of Alaska was given until 1984 to select 103 million acres.

That deadline now is within sight and the state is still trying to get its land.

"On paper" the state has selected 112 million acres, but it is not known how much of that land will be federally approved, according to Jim Wickes, Alaska Department of Natural Resources acting chief of planning research.

Wickes said the state now seeks a 10-year extension and permission to select 25 per cent above its entitlement.

The reasons are that the complications of Native and federal lands and past delays, including various "land freezes" and disputes, and still unresolved Native land selections have clouded the lands scene today.

Each state and Native selection goes through a cumbersome Bureau of Land Management review, public notice, federal surveying of boundaries and tentative approval before title is transferred.

To date, the state has received title to 21 million acres. Another 15 million acres has been tentatively approved, and the remaining 76 million acres selected is pending BLM review, according to Wickes.

Natives, granted 43.7 million acres, have selected about 80 million acres, Wickes said. About 6.7 million acres have actually been conveyed to Natives. Native selections, too, must be approved through BLM.

Because of the flux in federal withdrawals and restrictions plus federal challenges, both the Native corporations and the state have engaged in "overselecting" lands. That means that both are selecting more land than they are entitled to receive because of doubts that some of their nominations will receive final federal approval.

Simple promises made to the 49th state 20 years ago have become a tangle of increasingly complicated land issues.

Obviously some of the Native selections overlap lands the state is interested in selecting, and until some final decisions on Native selections are made, the state can only nominate lands and wait for final federal approval.

"We're probably still below our actual entitlement," Wickes observed, even though the state has over-selected. He added that once the d-2 lands issue is resolved, "we will probably be making more selections."

"Early state selections were obvious," according to Wickes. Among lands selected were those in the Kenai, Matsu, Anchorage, Fairbanks and Dillingham areas, along the railbelt, Alaska Highway and other transportation corridors and Prudhoe Bay.

The Alaska Native Claims Settlement Act of 1971 complicated the state's own selections. "Just implementing that act has clogged the (bureaucratic) machinery," Wickes said.

Each BLM review is handled piecemeal and cautiously, further compounding delays in getting final approval. BLM manpower, "particularly in recent years, just hasn't been there," but Wickes pointed to a pledge by the U.S. Secretary of Interior last fall to add 23 new positions to the BLM staff to help speed the transfer process.

"Assuming he does follow through, it would greatly increase transfer of land to the state," Wickes said.

Another issue concerns land that includes navigable rivers. The state maintains it owns the beds of such streams.

Compounding the state's own selection problems are a series of federal actions taken last fall. The Federal Land Policy and Management Act, withdrawing 110 million acres, was followed by presidential imposition of the Antiquities Act, further restricting 56 million acres of that land, and by a call for immediate study of an additional 39 million acres.

Of those federal withdrawals, about 9 million acres conflict with state selections. Those will be contested in court.

"There's a lot of dust that needs to be settled before we really know how much entitlement selection we have left," Wickes said.

He said the 10-year extension is viewed as necessary to deal with the current conflicts. In 1968, the Secretary of the Interior imposed a "land freeze" on state selections until Native claims were settled. The freeze was extended after the 1971 claims act passed.

Federal withdrawals were a point of contention in 1972, when the state moved to select about 80 million acres. Then-Secretary of Interior Rogers C.B. Morton wanted some of that same land for federal uses.

In an out-of-court settlement that November, announced jointly by Morton and Alaska Gov. William Egan, the state waived its selection of about 40 million acres.

Egan declared it a state victory, in that the state still selected land of value to it, notably prime, smaller parcels. Egan also said it paved the way for further selection negotiations with the federal government.

One of the statehood act's provisions is that the Interior Department will survey the exterior boundaries of unsurveyed state-selected lands. But the state must bear the cost of all interior survey work.

Because title transfer sometimes hinges on a survey, Wickes said there are provisions whereby the state and Interior Department can waive the physical survey requirements.

"I know in some cases the state has accepted title based on a drawing rather than a survey," he said. The surveying process also is slow and tedious, further impeding any quick efforts to effect transfers.

Exactly what lands the state receives title to under the 103 million acres promised at the time of statehood rests on the outcome of a number of factors.

Among those are some pending court suits initiated by the state challenging some of the federal actions and withdrawals, resolution of the d-2 lands issue, and federal approval of Native-selected lands and state-selected lands.

Statehood sponsor says pledge hasn't been kept

Leo W. O'Brien left Congress in 1966. Today, the retired Albany, N.Y. resident retains some pointed opinions about the Alaska Statehood Act to which his name is attached as author.

Actions by the federal government in recent years to withdraw and restrict lands from state selections are tantamount to a breach of the promises made to Alaska 20 years ago, O'Brien contends.

"One of the difficulties that members of Congress have today, they think of 100 million acres and 300 million acres—it boggles their mind a little bit. It's like switching to the metric system. I have noticed that with people on the street, they say, 'Well, they (Alaskans) still have 104 million acres, they should be satisified,' " O'Brien said in a recent telephone interview.

"It's hard for them to realize that at one time they (Congress) gave a land grant to the university. The revenue wasn't enough to support a basketball team," the former U.S. representative said.

O'Brien said the Alaska Statehood Act of 1958 in reality was written by the House Interior Committee. O'Brien felt then that it should bear the name of Bob Bartlett, Alaska territorial delegate.

But Bartlett wanted O'Brien's name on the bill.

"He knew one of the big arguments (against statehood) was the population. He wanted somebody from the most populous state," O'Brien recalls.

Alaska's permanent population was about 80,000 then.

Alaskan land was a controversy even then, both to Alaskans and legislators, but the more noticeable division was over whether Alaskans really wanted statehood.

State land selection provisions at the time seemed adequate. "We thought 25 years would be more than ample. Never underestimate bureaucracy and red tape," O'Brien concludes.

The chain of secretaries of Interior with different philosophies has had a bearing.

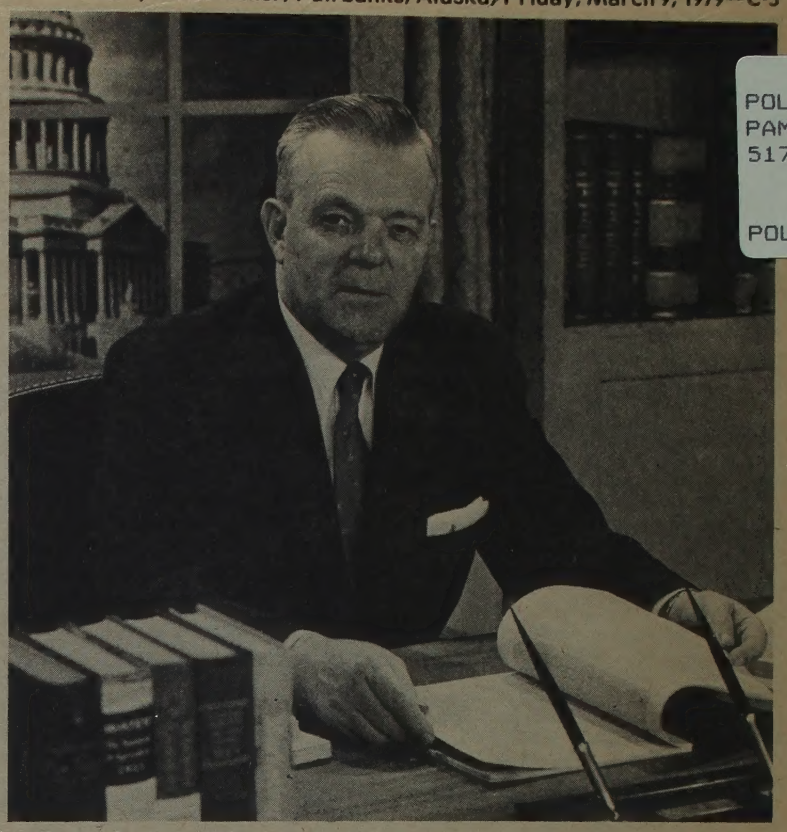
"For a very long time, Alaska was a large part of the principality over which the secretaries rule. They seem to have very great difficulty in accepting the fact that it's no longer a territory," he added.

Earlier this year O'Brien spotted an editorial about Alaskan lands in the Albany Times-Union. He responded with a letter to the editor.

"The statehood bill gave Alaska the right to select 103 million acres of federal lands, with certain areas distinctly marked off-limits. The new state was allowed 25 years to make its selections, but it has been balked repeatedly by federal bureaucratic delays. Now the bureaucrats seek to break faith further by placing an additional 100 million acres off-limits," O'Brien wrote.

"The do-gooders and the bureaucrats will say that the statehood bill was only a bill and that any bill can be amended in later years. Nonsense! The statehood bill was a solemn pledge by Congress to the new state," his letter continued.

"Some may have forgotten that we wrote into the statehood bill a provision that it would not take effect unless approved by a majority of the Alaskan voters. They did approve, overwhelmingly,



POLAR
PAM
5178

POLARPAM

FORMER CONGRESSMAN LEO W. O'BRIEN
Says Statehood promises haven't been kept

and that means the current shenanigans in Washington not only would break a congressional pledge, but shatter a pact with the people of Alaska," he added.

His letter also asks, "What about the stake of the American public in this controversy? How much benefit will accrue to the average family in New York, Pennsylvania, Ohio, or any of the 50 states if 100 million acres in Alaska are transformed into a wilderness? I suggest that not one in 10,000 Americans will ever trudge through those trailless lands. I suggest that we will be setting aside an area as large as Siberia for an American squirearchy."

In a recent News-Miner interview, O'Brien said, "I know you have changes after a statehood bill goes through—you can't write a perfect bill."

But federal actions today "are a complete violation of the intent of the original statehood act, and I think the fact that we submitted the statehood act to the (Alaskan) people before it became a bill is significant," he added.

"Washington was never entirely at fault," O'Brien conceded, pointing to the Native claims settlement, which he defined as "almost unbelievable" in scope.

O'Brien last visited Alaska in 1967 with members of his family.

Diverse interests lobby the land bills

Here is a list of the major lobbying groups on the Alaska Lands issue:

THE ALASKA COALITION: This is the major conservationist group lobbying in Congress on the Alaska lands issue. It includes nearly all of the major national environmental groups and some Alaskan groups. An estimated 4,000 Alaskans are members of groups belonging to the coalition.

Depending on how you look at it, the Alaska Coalition either wants to "lock up" the most land or "protect" the most.

"The Alaskan frontier, its wilderness, wildlife, and unique cultural values, belongs to all Americans, not just to quick profiteers," the coalition says, adding that its goal is to "save" Alaska from development.

ALASKA FEDERATION OF NATIVES: The AFN's stance on subsistence fishing and hunting has drawn the most attention in the debate over Alaska's federal lands.

President Morris Thompson says AFN supports a federal oversight role in the issue because state laws do not ensure adequate protection of subsistence resources and users.

Sportsmen say they want no federal oversight, but Thompson said the proposed subsistence provisions in the lands bill were the result of hard work and compromise and AFN will fight to keep them in the bill. By creating regional councils the proposed federal legislation would involve subsistence users in the managment process, he said.

ALASKA MINERS ASSOCIATION: The new president of the miners association views the role of his group clearly: "One of our chief goals for the next two years will be to help those individual entrepreneurs who have been beaten and mauled by the environmental activists of the '70s into a renewed opportunity for private enterprise in the industrial '80s," J.P. Tangen, a Juneau mining lawyer, said last fall.

Miners should "negotiate when we can and litigate when negotiations fail," and make a renewed effort to establish lines of communication within Alaska, he said.

"But large tracts of Alaska land will not be closed to mineral entry by the state or federal government."

ALASKANS UNITE: Organized in December after President Carter invoked the Antiquities Act to create national monuments on 56 million acres, the group says it has 20,000 members statewide. About 12,000 are from the Fairbanks area.

They are advertising for members and hope to sign up 100,000 Alaskans in the next couple of months as evidence of the grass-roots opposition in Alaska to massive federal land withdrawals. The group's seven goals are: Removal of the Antiquities Act; transferring title to all state land selections and all Native land selections; state managment of fish and game in Alaska; unrestricted access to and between all state and Native lands; traditional and historical access and use of federal lands for consumptive and non-consumptive uses; exclusion of known mineralized areas from land classifications that prohibit mining.

Its statement of principle says, "As a new state recently admitted to the Union we have yet to gain title to our Statehood Act lands that we have selected. In addition, the Alaksa Natives have yet to receive title to their selections under the Alaska Native Claims Settlement Act.

"Ownership to those lands is paramount to insuring that we stand on our own two feet economically and contribute to our nation's welfare.

CITIZENS FOR THE MANAGMENT OF ALASKA'S LANDS: CMAL is the chief pro-development group lobbying Congress to relax the restrictions in the proposed federal lands legislation and open more land for development.

CMAL has a budget of almost $1 million this year. Earl Miller, the Anchorage banker who was recently elected CMAL president, says the group "will focus on a unity and financing drive, to get the best possible land agreement for the state of Alaska."

In a letter mailed to Fairbanks residents recently, CMAL said President Carter's use of the Antiquities Act has "jeopardized the Alaskan way of life" and that CMAL will do its best to concentrate its efforts in Washington, D.C., and get Congress to revoke the national monument proclamations

FEDERAL-STATE LAND USE PLANNING COMMISSION: In commenting on the new version of H.R. 39, the Alaska lands bill, Walt Parker and Esther Wunnicke, co-chairmen of the commission, said its major defects are the lack of a section on transportation access across federal units; the absence of special study areas in Bristol Bay and a special planning regime for the Arctic Slope; the use of extreme boundaries in all conservation units, eliminating many of the compromises that have been worked out over the past seven years; the absence of several key amendments to the Alaska Native Claims Settlement Act upon which there is general consensus, and an excess of areas proposed for wilderness.

THE REAL ALASKA COALITION: About 40 sportsmen's groups have banded together under the banner of The Real Alaska Coalition, charging the conservationist "Alaska Coalition" with representing an extreme minority.

The groups in the coalition have an estimated 4,000 members among them who have united behind three major positions. They are: Any federal lands legislation must guarantee reasonable access, including appropriate easements to all public lands and waters in Alaska; State control of fish and wildlife resources must be guaranteed and subsistence provisions cannot infringe on the state's right to manage its fish and game resources; and reductions must be made in the excessive amount of land closed to hunting, trapping, fishing and other recreational pursuits in the legislation.

The Real Alaska Coalition agreed with Sen. Mike Gravel's decision to kill the so-called compromise bill last fall because it disapproved of the fish and game management provisions.

The politics

Stevens-Gravel split widens in '78

By DAN JOLING
Staff Writer

The lands battle raged for five months after Sen. Mike Gravel predicted last May that Alaska lands legislation pending in Congress was "deader than a doornail," but when October rolled around, his spring prediction made him look like a seer.

In the end, it was left to Gravel to decide whether his prediction, made shortly before the House of Representatives passed H.R. 39, would come true. He decided to kill it.

By threat of a filibuster, Gravel smothered the eleventh-hour compromise worked out by the other two thirds of the Alaska delegation, Interior Secretary Cecil Andrus, House Interior Committee Chairman Morris Udall, Senate Energy Committee Chairman Henry Jackson, Sen. John Durkin and Rep. John Seiberling, just as Congress was scrambling to dispense with other legislation and getting ready to go home to work on re-election.

To his Republican counterpart, Sen. Ted Stevens, and other lawmakers who had feverishly worked behind closed doors to whip out the compromise bill in the waning moments of the 95th Session, Gravel's action was a heinous murder of a solution supposedly acceptable to all sides.

To Gravel, it was a fitting execution to an undesired sell-out because of what he saw as two missing items: promise of access and a promise to not come back for more land in the future.

He added a coup de grace a day later by blocking an extension of the Dec. 18 deadline for passing Alaska lands legislation.

The jury's still out on whether Gravel's tactics paved the way for a solution more palatable to the state. Both he and Stevens still say they advocated the correct positions. But how had they gotten to that point?

The 1978 d-2 saga started on the other side of the hill under the nervous eye of Rep. Don Young.

Mark-up sessions in the new year resumed Jan. 17. In almost daily sessions, Young fought to reduce or reclassify acreage set aside under Interior Committee Chairman Morris Udall's original H.R. 39.

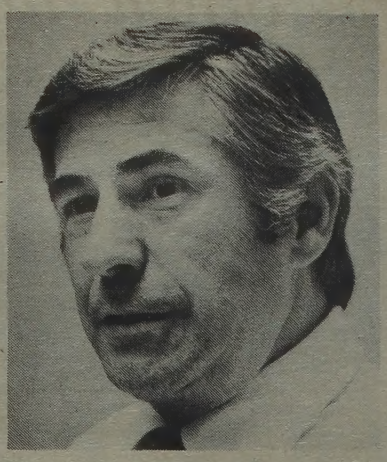
Young was bolstered in his efforts by Rep. Lloyd Meeds, D-Wash., who offered his own version of an Alaska lands bill.

Meeds' bill called for wilderness classification of only 33.3 million acres, with 50 million acres to be studied for wilderness possibilities, and elimination of all wilderness designations in Southeastern, among other things.

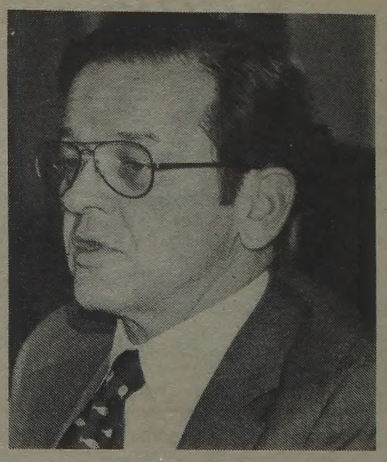
The Interior Committee at first considered marking up both bills, but then rejected Meeds' version 22-20 March 1.

It reported out its version March 21, 32-13. "It is still a lockup," said Young after voting against the bill.

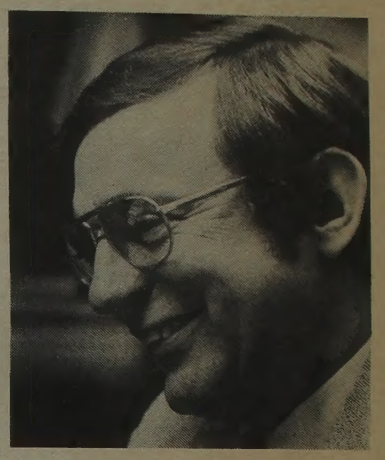
The House Merchant Marine and Fisheries Committee took it next, slicing more off the original H.R. 39.



SEN. MIKE GRAVEL



SEN. TED STEVENS



REP. DON YOUNG

Alaska's senators stood together May 8 when a joint letter was sent to the House Rules Committee promising "open-ended periods of extended debate" if substantial changes were not made before it reached the Senate floor.

The warning went unheeded and the Rules Committee reported the bill out on a vote of 11-5 May 16.

The vote on the House floor three days later was 277-31, a point of which Young's election opponent, Pat Rodey, gleefully reminded voters in his unsuccessful bid for Alaska's sole House seat.

Young and other opponents later contended, however, that the vote was so lop-sided because they released members from promises to vote against the bill when it became apparent the measure would pass anyway.

The bill was voted on after an agreement to withhold major amendments. At least nine environmentalist-backed amendments that had good chances of passing were dropped.

What was approved was a substitute bill containing all the major points of the conflicting legislation passing from the House Interior and Merchant Marine committees.

The result was 10 new national parks and preserves and expansion of three existing parks; 12 new wildlife refuges and more land to four existing refuges; 25 additions to the wild and scenic river classification, and expansion of the Chugach and Tongass national forests.

Sixty-six million acres were to be designated wilderness, with a number of special provisions, including aquaculture development as long as the wilderness character was protected; use of existing cabins and the construction of new cabins in forest wilderness; a 10-year delay in having the wilderness designation take effect in some areas to allow development of fish hatcheries, and research into fishery and enhancement activities in national park wilderness areas.

However, all wilderness units would be closed to hard-rock mining, parks and preserves would be closed to oil and gas development, and oil and gas leasing in refuges would be allowed only at the discretion of the secretary of the Interior.

The bill also conveyed immediately all lands selected by the state and Natives under the Statehood Act and the Alaska Native Claims Settlement Act.

Alaskan senators found themselves with more bargaining clout than did Young.

For awhile it appeared that they would remain united in their desire to kill any d-2 legislation. As the Senate Energy Committee proceeded with mark-up of its version of the bill, however, their reasoning split.

Stevens committed himself to work for a compromise. Gravel remained committed to keeping the bill off the Senate floor, at times using procedural tools to delay committee debate as early as July, rankling Energy Committee Chairman Henry Jackson and other legislators.

The Energy Committee reported the bill out Oct. 4, and nearly everyone involved saw it differently.

Jackson called it balanced. Conservationists said the committee had mangled the House version. Administration spokesmen said they were dissappointed. Gravel maintained his filibuster threat.

Stevens withdrew his support from the bill unless five areas were changed: mining restrictions in Southeastern, which shot down molybdenum development; wilderness designation of the Wrangell park preserve; state interest lands along the Copper River; closing of reserve areas to timber cutting; and the restrictive designation of the Kilbuck conservation area.

Among objections by the conservation groups was mining in House-proposed national park areas and designation of 35 million acres as wilderness, compared to 66 million by the House.

The time was ripe for compromise, and chances improved Oct. 12 when Gravel announced he would work for an adjusted bill. He was urged to modify his filibuster-only stance by Gov. Jay Hammond, the Citizens for Alaska's Lands, the state d-2 Steering Council, seven of the 12 Native corporations and private opinions.

"I have got to give him (Stevens) a fair shot at it," Gravel said.

For five days the principals in the debate huddled in closed sessions, trying to come to an agreement. In the end, at a Saturday morning meeting, the compromise fell through when Gravel said the measure was inappropriate for Alaskans.

He based his action on two provisions he said the bill lacked: access and a ban on future withdrawals.

He demanded that the compromise mandate access corridors such as highways or a pipeline through seven federal conservation units, including the proposed Gates of the Arctic National Park and the Togiak and Noatak National Wildlife Refuges.

Conservationists argued that mandatory corridors could destroy the basically unspoiled conservation units for no reason.

The compromise bill called for the courts to mediate transportation altercations across federal conservation units after the Interior Department and the state determined needs.

When he failed to get mandatory corridors, Gravel stuck his knife in.

He said past experience has shown going to court is unsatisfactory, in part because it takes so long to get a decision while development interest wanes.

Stevens took a different view of the compromise bill's access provisions,

(See THE POLITICS, page C-7)

D-2 HEARING—The House Interior committee, chaired by Rep. Morris Udall, D-Ariz., took testimony on the Alaska lands issue in Fairbanks in August, 1977.
(News-Miner staff photo)

POLAR
PAM
5178

POLARPAM

THE POLITICS . . .

(Continued from page C-6)

and did not believe the whole bill should have been destroyed over the access question.

"Gravel never understood the access provision we had worked out," he said.

Stevens later said Gravel wanted the bill dead no matter what, and that if he hadn't killed it because of the access provision he would have found another reason.

The senators' personal feud culminated in a bitter exchange on the Senate floor in the closing hours before adjournment.

Gravel also took a dim view of the fact that the negotiators didn't include a promise not to come back in the future with more withdrawals.

"I wanted a provision that said they would not come back next year for more land and more wilderness, and they would not agree to it," Gravel said after the last meeting attempting to compromise.

The compromise bill that came so close to reaching the Senate floor would have designated at least 51 million acres of instant wilderness, the most restrictive classification.

About 11 million acres in the Arctic National Wildlife Range would have been designated wilderness except for an area along the coast that Stevens had requested stay open for petroleum assessment.

All seven Stanford Research Institute mineral research discoveries were excluded from federal conservation units, including the U.S. Borax molybdenum claim and the Green's Creek mineral area in Southeastern and the Red Dog copper mine in northwestern Alaska.

A small national recreation area was to have been created in the Wrangell National Park to allow mineral entry.

Hunting would have been allowed in national park preserves except the Gates of the Arctic National Park in the Brooks Range. That left about 27 million acres closed to hunting, as opposed to 65 million in the House-passed bill.

The bill called for minimum federal oversight in subsistence management, instead leaving it to the courts to decide conflicts between sport and subsistence hunters.

But it was not to be. The unwieldy acreage numbers and colored maps were filed away, and federal designation of Alaskan lands was left to the administration for 1978.

Antiquities Act

After the compromise was killed, Carter came down hard on Alaska

Using the Antiquities Act of 1906, President Carter Dec. 1 established 17 national monuments in Alaska, totalling a little more than 56 million acres.

Thirteen of the monuments are managed by the National Park Service, two by the U.S. Fish and Wildlife Service and two by the U.S. Forest Service.

Here are the 13 monuments managed by the National Park Service, their size and location:

- Aniakchak, 350,000 acres near Port Heiden on the Alaska Peninsula.
- Bering Land Bridge, 2.6 million acres on the northwest side of the Seward Peninsula north of Nome.
- Cape Krusenstern, 560,000 acres along the coast of the Chukchi Sea north of Kotzebue.
- Denali, 3.9 million acres surrounding all but the east end of Mt. McKinley National Park.
- Gates of the Arctic, 8.2 million acres in the central Brooks Range north of Bettles.
- Glacier Bay, 550,000 acres enlarging the present monument south of Yakutat.
- Katmai, 1.4 million acres enlarging the present monument east of Naknek on the Alaska Peninsula.
- Kenai Fjords, 570,000 acres west of Seward along the southern coast of the Kenai Peninsula.
- Kobuk Valley, 1.7 million acres in the Kobuk River drainage west of Kobuk and east of Kiana.
- Lake Clark, 2.5 million acres in the Alaska Range on the west side of Cook Inlet north of Iliamna.
- Noatak, 5.8 million acres in the Noatak River drainage north of the Kobuk monument.
- Wrangell-St. Elias, 11 million acres in the Wrangell and St. Elias mountains extending from the Copper River to the Canadian border.
- Yukon-Charley, 1.7 million acres along the Yukon and Charley rivers north and west of Eagle.

The two monuments managed by the Fish and Wildlife Service are:

- Becharof, 1.2 million acres on the Alaska Peninsula just south of the Katmai monument.
- Yukon Flats, 10.6 million acres of the Yukon River drainage from the western border of the Yukon-Charley monument to the trans-Alaska pipeline.

The two monuments managed by the Forest Service are:

- Admiralty Island, 1.1 million acres on Admiralty Island southwest of Juneau.
- Misty Fjords, 2.2 million acres at the southeastern tip of Alaska east of Ketchikan.

The Park Service and the Fish and Wildlife Service, both divisions of the Interior Department, have issued interim regulations governing use of the new monuments.

The Forest Service, part of the Agriculture Department, has not issued interim regulations for its two monuments. Marc Petty, director of the Alaska planning team for the Forest Service in Anchorage, said regulations will not be issued if it is determined that the code of federal regulations covers the monuments.

In general, parks management is most restrictive and forest management is least restrictive.

Park regulations prohibit sport hunting and commercial trapping in 13 monuments. The use of firearms is also prohibited except for defense of life or as authorized for emergency use.

Sport hunting and trapping are allowed in the Fish and Wildlife and Forest Service monuments subject to state licensing and other regulations.

Subsistence hunting, fishing, trapping and other consumptive uses are allowed by "local rural residents" in all but one monument, subject to state regulations and emergency federal closure. The one exception is the Kenai Fjords, where the Park Service said no subsistence use occurred in the past.

Subsistence uses are defined as "traditional uses of renewable resources (e.g. wildlife, fish, timber) for personal or family consumption as food, shelter, fuel, clothing, tools or transportation."

Airplanes are not allowed in connection with subsistence uses.

Sport and commercial fishing is allowed in all the monuments, subject to state provisions. In the case of the parks, commercial fishermen must apply to the area director for permission. Existing commercial fishing operations may continue at the present level pending action on the applications.

Snowmachines, off-road vehicles and motorboats are allowed in the parks and fish and wildlife monuments where "such use is traditional and established." There are no restrictions on motorboats and all-terrain vehicles in the forest monuments.

Traditional uses also govern the use of airplanes in the monuments. The regulations say aircraft access will be allowed in "customarily used areas."

Where there are existing claims and permits, mining and timber operations will continue to be allowed. No new mining or timber development will be allowed on the monuments, and regulations also restrict the construction of roads.

The interim regulations will be replaced later this year by permanent regulations, which will provide more specific definitions of prohibited and approved uses and may be more restrictive.

Jerry Gilliland, special assistant to the secretary of Interior, said notice of intent to prepare the regulations was published in the federal register recently.

Thirty days will be provided for comments before regulations are drafted and then a series of public hearings will be held. Gilliland said the regulations are expected to be made final in August.

PROTESTERS—When Congress failed to pass an Alaska lands bill, President Carter moved quickly to withdraw 56 million acres for 17 national monuments. Several thousand Alaskans protested Carter's use of the Antiquities Act by participating in a series of public demonstrations throughout Alaska, including this one in Fairbanks.

(News-Miner staff photo)

The resources

Opponents can't agree on how (and whether) to tap Alaska's 'storehouse' of mineral wealth

By DERMOT COLE
Staff Writer

Mining fills Alaska's history books, but today it's more visible in the tales of the Gold Rush than in the state's economy.

You can count the major mining operations in Alaska on one hand, but you'd be hard-pressed to add up the number of times the state has been labeled a "storehouse of minerals."

There are lots of questions about when—and if—many of those natural resources are going to be developed, but the most important is the pending settlement of the national interest lands issue in Congress.

At the center of the conflict between wilderness preservation and development are legislative proposals to put half of the federal government's 60 per cent share of Alaska into national parks, forests, wildlife refuges and wild and scenic rivers.

Alaska's congressional delegation, state government and national and local business interests claim the environmentalists want to block the development of billions of dollars worth of vitally needed minerals.

It's the "undoing of Seward's foresight by Washington's folly," says the president of the American Mining Congress.

As a starting point, Alaska's congressional delegation and business interests are pushing a version of the lands bill worked out during the waning hours of the last Congress as an alternative to the conservationist plan.

After a fierce scrap, that version was voted out of the House Interior Committee last week, but it still is a long way from becoming law.

The conservationist version of the lands bill would ban mining on 70 per cent of the lands rated "highly favorable" for mineral potential by the Bureau of Mines, according to Bill Horn, an aide to Congressman Don Young.

By comparison, the version backed by the state would allow development of about 50 per cent of the highly favorable areas, Horn says.

The Carter administration and environmental groups say they want nothing to do with the latter proposal or with Horn's arithmetic.

When all lands with mineral potential are considered, including moderate and less favorable areas, up to 70 per cent of the 250 million acre total would be open to mining under their bill, they say.

Bob Weeden, president of the Alaska Conservation Society, says the areas excluded from consideration as national interest lands should be the starting point for mineral development, "on the premise that the nation can certainly afford to sort of rape Alaska a little bit at a time."

In the meantime, a mineral assessment process that's called for in the lands legislation would produce the facts needed to reach rational decisions about future mineral development in the withdrawn areas not designated as wilderness or national parks, Weeden said.

But opponents say the mineral assessment is a sham because it only allows for exploration of the "pick and shovel" type, and in any case it's unlikely that lands will be unlocked for development once they're placed in parks.

At last count the difference in the amount of acreage covered by the competing land proposals was only about 15 million acres, but the big dispute is how much of the land will be classified for a variety of uses and how much will be set aside as wilderness and "preserved" in its natural state.

Depending on how you look at it, either the future of the mining industry or the fate of the nation's last great wilderness hangs in the balance.

At present, construction materials such as sand, gravel and crushed stone are the largest producers in the state's mining industry, amounting to about $120 million in 1978, according to the state Division of Geological and Geophysical Surveys.

What will happen in the coming decades may be a different story.

In a 1978 study the Stanford Research Institute identified seven potential mining ventures that it said could go a long way toward re-establishing mining as something to be taken seriously in the economy.

The seven mines could provide 11,000 jobs in Alaska and make mining a $1 billion business by the 1990s, the study said. It was paid for by a group of mineral exploration companies.

The Antiquities Act withdrawals by President Carter in December have blocked development of all of the mines except the asbestos deposit on land belonging to Doyon near Eagle.

Three of the seven sites would be open to development under terms of the environmentalist version of the lands bill, while the bill that passed the U.S. House last year left five open for development.

All seven would be allowed in the version backed by the state.

The seven sites are:

- The Quartz Hill molybdenum find east of Ketchikan;
- Green's Creek silver, lead, zinc and gold strike on Admiralty Island near Juneau;
- The Bohemia Basin nickel and copper find 80 miles west of Juneau;
- The Lik silver-lead-zinc and cadmium deposit 80 miles north of Kotzebue;
- The asbestos discovery on Doyon's land about 40 miles southwest of Eagle;
- And the Picnic Creek and Arctic discoveries of lead, zinc, silver and copper on the south flank of the Brooks Range about 160 miles east of Kotzebue.

The study said only 25 square miles would have to be dug up for the seven mines. When land for buildings, townsites, transportation routes and buffer zones is added, the affected area comes to 940 square miles, the report said.

Supporters of mining say that when you consider there are 586,000 square miles in Alaska, 940 square miles is not much to give up for a thriving mining industry.

But the idea that mining will or should soon resume a prominent position in Alaska's economy is far from being universally accepted.

Some analysts say there will be no major hard-rock mining in Alaska for at least the next 20 or 30 years and that the Stanford study is overly optimistic.

The Federal-State Land Use Planning Commission has thrown its weight behind those who say the costs of getting minerals out of the ground and transporting them to market from Alaska make conflicts with the land withdrawals irrelevant because they're not going to be developed anyway.

Some conflicts between proposed parks and areas with potential for mineral development do exist, the commission said last summer of the lands bill that passed the U.S. House, but "the economic consequences for the state and the nation appear to be minimal over the next 20-30 year period."

Commission economist Bradford Tuck says a growing body of research indicates that the forecasts of economic doom in regard to federal lands withdrawals are "largely unfounded."

Alaska will have a "resource base larger than that of any other state in the nation" when open state, Native and federal lands are considered, he said.

He added that oil and gas will dominate the economy for perhaps 50 to 75 years, while the hard-rock mineral industry won't amount to much until prices increase or significant cost reductions are made in production.

If that's so, then why would profit-conscious mining companies spend an estimated $50 million to $75 million in 1978 on exploration—much of it in the mineralized geologic belts that extend through many proposed park lands?

That's the question posed by opponents of the environmental position, who say the economic studies ignore the growing world-wide demands for raw materials and the cloud thrown over the mining industry by Alaska's very confused land situation.

Tuck says it's because the mining companies are looking for supplies to be tapped 40 years from now and they're also growing more interested in domestic production, even in high-cost areas, because of the increased risk of nationalization overseas.

New knowledge about the state's resources leads others to believe that the potential for profits in mining is not something in the dim, distant future.

The southern addition to the Yukon Flats conservation unit, now in the new Yukon Flats National Monument, was the site of many discoveries in 1977-78, according to the Bureau of Mines. Under the lands bill being pushed by the state, it would be open to mineral development.

About 75,000 acres of claims have been staked for uranium, lead, zinc and tungsten in an area that originally had been exlcuded from proposals for the Yukon Flats refuge.

The uranium prospect is in an area that's at least 30 miles by 18 miles, according to the U.S. Bureau of Mines. It's near Mt. Prindle, which is about 50 miles northeast of Fairbanks. At least 40,000 acres have been claimed for uranium.

The Bureau of Mines says the average grade of ore processed in the Lower 48 ran 0.154 in 1977. There have been reports from one company that the surface concentrations at Mt. Prindle run from 5 per cent to 7 per cent.

While Congress moves toward deciding whether the opportunity will exist to develop such new prospects, scientists familiar with the state qualify their statements about mineral potential with warnings that Alaska is virgin territory when it comes to exploration.

The state hasn't been seriously explored for anything other than gold, but work done so far in a few limited areas shows that Alaska contains 26 of the 27 minerals on the U.S. government's strategic minerals list, some of them in large quantities.

Most of the major mineral discoveries in Alaska have been made since 1965, according to Chuck Hawley, executive director of the Alaska Miners Association. And there are factors that offset the high cost of doing business in Alaska, he says, such as the very high-

(See OPPONENTS, page C-9)

Lawsuit says Carter violated Antiquities, Statehood acts

"That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected:"

By ANDY WILLIAMS
Staff Writer

That was the authority, in Section 2 of the Antiquities Act of 1906, used by President Carter Dec. 1 to establish 17 national monuments totaling 56 million acres in Alaska.

The Antiquities Act, originally passed to protect artifacts and Indian ruins in the Southwest, has been used repeatedly for land withdrawals but never on the scope used in Alaska.

Jerry Gilliland, special assistant to the secretary of the Interior in Anchorage, said monuments created by use of the Antiquities Act include the Grand Canyon, Grand Tetons and Death Valley in the Lower 48 and Katmai in 1918 and Glacier Bay in 1925 in Alaska.

Carter's action was taken after Alaska lands legislation that would have classified about 100 million acres of land in federal management systems was killed by Sen. Mike Gravel, D-Alaska, last fall in the waning hours of the 95th Congress.

Gravel also killed a measure that would have extended the Dec. 18, 1978, date specified in the Alaska Native Claims Settlement Act of 1971 as the deadline for passage of lands legislation until Congress could consider the bill again this year.

Following defeat of the bill, the Interior Department withdrew 110 million acres and the Agriculture Department another 11 million acres considered in the d-2 legislation for two years or until Congress acted.

Federal officials said the action was necessary to prevent the land from lapsing into unclassified status.

The monuments were part of the 121 million acres withdrawn under Section 204 of the Federal Land Policy and Management Act. But unlike the Section 204 withdrawals, the monuments are permanent. Only congressional action can change them.

The president's proclamation caused an uproar in Alaska. Protests against the action culminated in the "Great Denali Trespass," on Jan. 6, in which about 1,500 persons gathered near Cantwell to demonstrate.

Even before the monuments were declared, the state filed suit in federal district court against land withdrawals under the Federal Land Policy and Management Act and to head off use of the Antiquities Act.

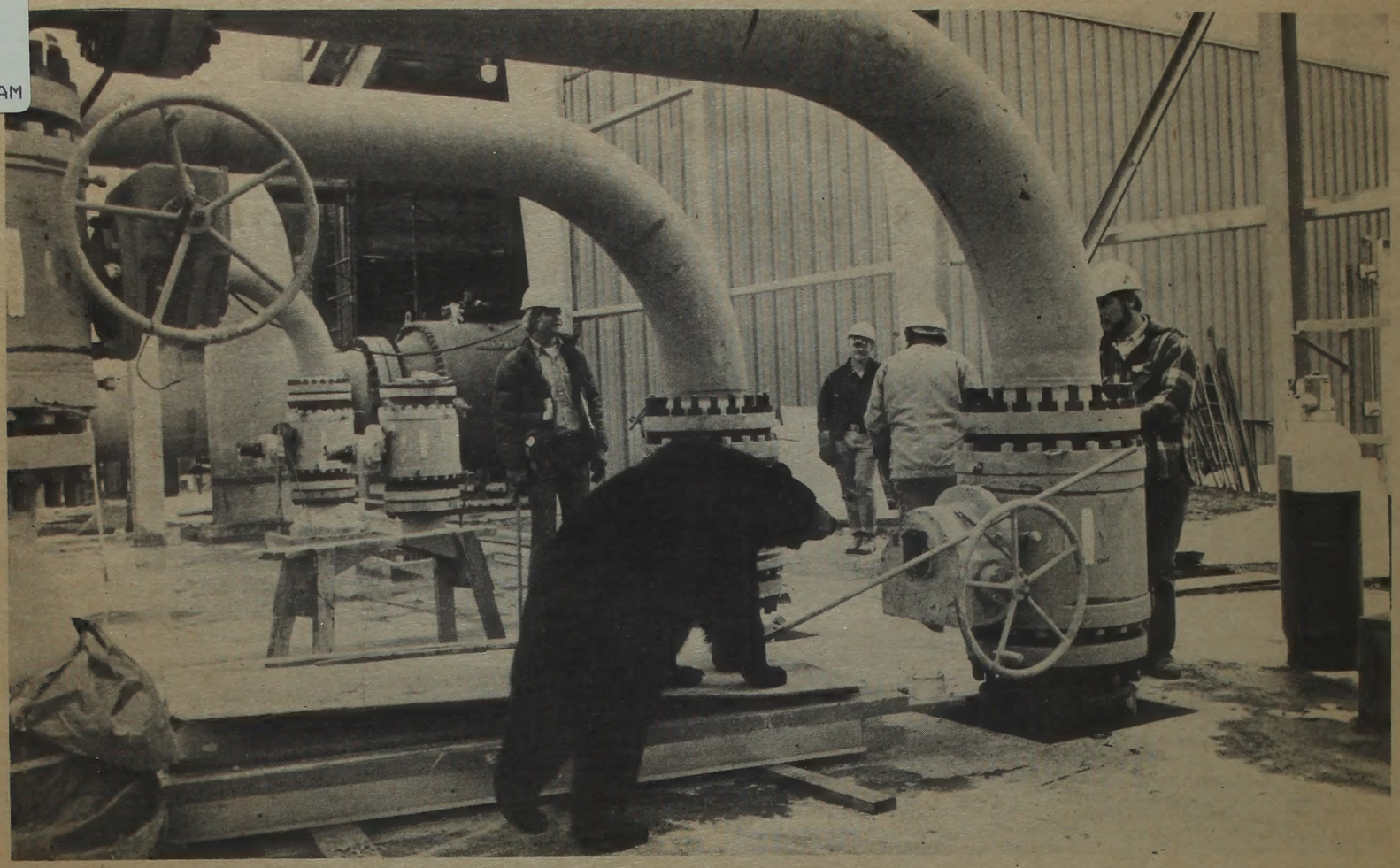
The state sought a preliminary injunction, saying it was not given enough time to respond to an environmental impact statement before the withdrawals were made. But District Court Judge James von der Heydt denied it Nov. 24.

The state amended its complaint after the monuments were declared, saying the action violated the intent of the Antiquities Act and inclusion in the monuments of about 8 million acres previously selected by the state violated the Alaska Statehood Act.

Federal lawyers have asked von der Heydt to postpone arguments on the lawsuit until after Congress considers new d-2 legislation introduced this session. A hearing is scheduled on that motion March 14.

POLAR
PAM
5178

POLARPAM



PIPELINE VISITOR—A black bear stopped work temporarily at Pump Station 5 during construction of the trans-Alaska pipeline in the summer of 1976. It's not certain how national-interest land proposals will affect petroleum development in Alaska because much of the state has not been explored for oil and gas.

(Alyeska Pipeline photo)

Future role of oil hinges on outcome

There is no question that the petroleum industry will be the major force in the Alaskan economy after settlement of the national interest lands question.

But until settlement of the dispute over the classification of lands in Alaska, the state won't have a clear idea of just how active the oil and gas interests will be.

Analyzing the effects of proposed land legislation on the development of Alaska, the Federal-State Land Use Planning Commission said information currently available shows that known oil and gas potential within the proposed land withdrawals are a minor part of the total oil resources of the state.

About 8 per cent of the lands with known petroleum potential are in the proposed withdrawals, the commission said, but it also acknowledged that the areas haven't been explored.

The major impact would come from proposals to make the Arctic National Wildlife Range a wilderness area, closing it to oil exploration and development, the commission said.

The range, in the northeastern corner of the state, contains an estimated 7.5 per cent of the nation's onshore recoverable petroleum reserves. The 10-million-acre range has been characterized as the single most promising onshore area with oil and gas potential.

The wilderness designation for the range is designed to protect the calving grounds of the largest caribou herd in the state.

Supporters of oil development say exploration activities could co-exist with the 100,000-plus Porcupine caribou herd, but that contention is being challenged by environmental groups and the Carter administration. The challengers say oil exploration should be prohibited even when the herds aren't nearby because the activity will disturb other species.

Matthew Berman, an assistant professor of public affairs at the University of Texas, has studied the effects of H.R. 39 on Alaska under a fellowship from the Rockefeller Foundation. He says that aside from the wildlife range and southeastern Alaska, the lands bill would have little effect on the economy.

Blocking oil development in the wildlife range could stop oil production that would be strategically important, he said.

But Interior Secretary Cecil Andrus says the nation should look elsewhere for its oil supplies.

"I'm not saying the wildlife range should never be drilled. Maybe someday my grandchildren will have to drill it. All I'm saying is that we shouldn't do it right now. Let's give that area a chance," Andrus told a congressional committee recently.

According to Sen. Ted Stevens, of the 15 sedimentary basins onshore in Alaska, only two have been explored by any major drilling program. Those two—Prudhoe Bay and Swanson River—are producing substantial amounts of oil.

Alaska ranks number one among the 50 states in oil reserves and only Texas produces more crude oil per day. That's mainly because the Prudhoe Bay field is so big.

What lies beneath the 40 million acres of lands in potential oil producing areas that would be in conservation system units under the current proposed version of H.R. 39 is unknown.

Most of the acreage would be in refuges where oil and gas leasing may occur, but only with the approval of the Interior Secretary, says Bill Horn, an aide to Rep. Don Young.

"Because of extremely limited work on these basins, our information regarding their oil and gas potential is almost non-existent," Horn has written.

Howard Slack, president of Atlantic Richfield, said the lack of guaranteed access and the wilderness proposals in the bill could deprive the nation of seriously needed energy supplies.

But the oil industry and geologists say the greatest oil potential lies offshore where it is estimated that there are 400,000 square miles with potential for containing oil and gas deposits.

Concerning other industries and the potential effect of the lands legislation, the timber industry and agriculture have drawn the most attention.

According to Berman, the key issue to the timber industry is the amount of wilderness designations in the Tongass National Forest in Southeastern. The Carter administration says that to designate about a third of the state's national forest lands as wilderness won't adversely affect the timber industy.

But the timber industry says the proposed bill would reduce the timber harvest to 279 million board feet and eliminate from 1,700 to 3,000 jobs in Southeastern.

As far as the effect on agriculture goes, the Yukon Flats National Monument north of Fairbanks contains about 2 million acres of state-selected land considered important.

President Carter's decision to make the area a national monument would be confirmed by the legislation, but state officials are trying to get the boundaries redrawn to exclude the land with agricultural potential.

Environmentalists oppose the use of the area for agriculture and they claim it would be in direct conflict with manamgent of the area as wildlife habitat.

OPPONENTS CAN'T . . .

(Continued from C-8)

grade ores that have been found in some locations.

"The long-term potential must be judged excellent, although changes in demands may make some demonstrated deposits non-economic and others, not now valuable, econonic," Hawley has written.

He says the biggest question is what the government's going to do.

The story of the Quartz Hill prospect and the government's land classification process shows the potential pitfalls surrounding large-scale mining proposals for Alaska.

Carl Randolph, president of U.S. Borax, says it's a test case that will show what the mining industry's future is in Alaska.

"We must win this for the miners and trappers and everyone in Alaska," he said.

He told a convention in Anchorage recently that it would "border on the criminal" for the federal government to stop development of the huge molybdenum claim, which is now billed as the second largest in the world. Molybdenum is used to strengthen and harden steel.

Development of the molybdenum deposit would conflict with the wilderness characteristics of the area, environmentalists say, particularly objecting to the proposed 11.5 mile road into the site.

President Carter included the Quartz Hill project within the boundaries of the Misty Fjords National Monument, one of 17 he created Dec. 1.

What about tourism?

Alaska would have the nation's biggest parks under the lands bill now before Congress, but the impact on tourism is difficult to predict.

It's generally agreed that an increase in tourism would accompany the creation of additional parks, but how large it would be is another matter.

"The publicity accompanying the creation of new parks and additions to existing parks will bring an unknown increase in visitors to the state," researcher Matthew Berman said in a study on the effects of land legislation on the Alaskan econony.

The jump in visitors would include more sportsmen coming to the state for recreation, although the proposed land legislation in Congress would ban sport hunting on 41 million acres of land.

The increase in visitors will create jobs in the entire tourist industry from tour guides to hotel employees, Berman says, but the biggest effect on the economy would be the stimulus to the construction industry.

The "continuing expansion of facilities to accommodate the needs of a growing volume of visitors" would spur construction, he said.

But different levels of use by the public are viewed for the parks, and some are not likely to see any nearby construction, as the federal government wants to maintain a wilderness atmosphere in remote areas.

Fish and Game

Major impact may be felt by game managers, Alaskan trappers, guides, hunters and visitors

By CHARLIE SPENCER
News-Miner Bureau

JUNEAU—The furor over Alaska lands has been good for the state Department of Fish and Game in at least one respect.

"Fish and game have always been a bunch of bastards," says Don McKnight, research chief of the Division of Game. Now, when Alaskans have seen first-hand what the feds are like, "suddenly Fish and Game is nice guys."

Image aside, the Alaska lands controversy and its final resolution is expected to have a severe impact on the department. In fiscal 1980, the department has estimated it will lose $387,200 in non-resident game hunting license and tag revenues because the federal Antiquities Act monuments were created.

On top of that, department officials say the action will result in higher management costs for game in the state. That does not count the effect on the private sector.

One proposal introduced in Congress this year would have closed 41 million acres to sport hunting and trapping. According to Rep. Don Young, R-Alaska, that would affect more than 1,500 guides and trappers.

The biggest dent will be felt in sheep hunting. The new Wrangell-St. Elias and Gates of the Arctic national monuments contain about 56 per cent of the sheep hunting in the state. When the final d-2 legislation is passed, Fish and Game expects to have lost 60 per cent of the area previously available to sheep hunting.

"What we're looking at is probably a major drop in non-resident hunters," says Carl Rosier, deputy Fish and Game commissioner. That is estimated to cut sheep license and tag revenues by $155,000, either through discouraging non-residents from coming or actually excluding them.

Says Rosier, "If things stay the way they are right now, we would anticipate that the remainder of the sheep areas in the state within a year would be strictly permit hunts."

Those Outsiders who come for sheep don't just kill sheep, either, department officials point out. They incidentally take moose, caribou, brown bear and wolf while on their sheep hunts. That's another estimated $115,500 in revenue lost from the additional tags and licenses purchased by the non-resident sheep hunters.

Then there are the non-residents who come just to hunt moose, caribou, wolf and bear. The department says it could lose $116,700 from revenue normally generated from those hunters. That's just half of the story.

"There just isn't going to be that much space available for other residents and non-residents," says McKnight.

Adds Rosier, "There's a feeling that if you've got less to manage, you need less bucks. That's not really the case."

If the department has to restrict the taking of species to permit hunts, it will cost money to administer them. But even before that, it takes money to gather the data from which the decision to alter the hunts must be made.

"We can't just fly over and say 'there's moose here'," says McKnight. "We're going to have to have a pretty darn good knowledge about what individual populations of animals are doing. And preciseness costs money."

In addition, Rosier says the cost of managing game is directly proportionate to the amount of federal involvement.

"If you include the federal government in the management of these species, it's going to cost more bucks," he said.

He points to marine mammals, which were removed from state management seven years ago. Most are soon to be given back to the state, he says, but "for seven years there's essentially been no management of marine mammals."

Now, he says, the state must spend up to $1 million in research to be ready to take them back.

In the new monuments administered by the National Park Service, "they've essentially said there will be no recreational hunting. As a result you're talking about essentially a federal management program."

In the areas managed by the Fish and Wildlife Service, "they will permit hunting, but they will establish the conditions. We have to do the managing," and pay for it, says Rosier.

Could the state refuse to abide by the federal rules in those areas?

"No, because they control the access. They can close that refuge to hunting," he says.

In a year when a tight budget is the talk of the Legislature, Fish and Game's d-2 budget woes might not be viewed as critical, except for the uniqueness of the department's budget.

With the exceptions of twice in this decade, once when more money was needed to finish the new Fish and Game office in Fairbanks, the department has run without general fund money since statehood. Its funding has come from licenses and tag sales and from federal money.

The department was charged with paying its own way.

But this year Fish and Game has asked the Legislature for $750,000 in general fund support, promising to use it to pay for programs that benefit those who do not necessarily hunt and buy licenses and tags.

Whether the Legislature buys that proposal won't be known for sure until later this legislative session. The Legislature is also considering putting trapping license fees in the Fish and Game fund.

Whatever the Legislature does with the budget, and Congress does with d-2, department officials are worried about the long-term prospects of their federal support as well. In fiscal 1978, the federal funds were unexpectedly sliced. They came back up this year, but Fish and Game officials are closely watching the federal belt tightening that is the news these days.

They say the department may eventually have to try a new method of raising money, perhaps as Colorado has done. There, a blank is left on the income tax form. If the taxpayer has a refund coming, he or she can contribute part of it to the Department of Fish and Game. Reports are that it's worked well there.

WARY EYE—A cow moose and calf each cast a wary eye toward a game photographer in Interior Alaska. State Department of Fish and Game officials expect passage of an Alaskan lands bill to have a major impact on management and use of Alaska's fish and wildlife. This photo was taken several years ago by state Resources Commissioner Bob LeResche, then an employe of the Fish and Game Department. *(Department of Fish and Game photo)*

POLAR
PAM
5178

POLARPAM

The Natives

Bureaucracy and complexity of d-2 delay the conveyance of lands promised to the Natives

By ANDY WILLIAMS
Staff Writer

D-2 was only a small section in an act that abounded in complexities.

A single detail in the Alaska Native Claims Settlement Act of 1971, it has kept a regiment of state, federal and private partisans reeling as its implications have been understood.

But it is not the only section that has kept bureaucrats busy. In federal offices from Fairbanks to Washington and in dozens of Native regional and village headquarters, hundreds are at work on other aspects of the claims act.

Despite the unparalleled level of activity, the essential purpose of the act—to convey ancestral lands to Natives—has so far been largely thwarted.

Of more than 43 million acres promised in the act, only 6,658,168 acres had been transferred in permanent or interim conveyances as of Feb. 26.

The delays have caused substantial hardships to the villages and regions. Not only has the land been largely unavailable for development, but the corporations have had to bear sizable legal and administrative fees in the process.

Lobbyists for Native interests are using d-2 as a vehicle for amendments to try to minimize the effects of the delay and correct some of the deficiencies of the act.

Meanwhile, it may be that the log-jam on land conveyances has broken.

Bob Arnold, head of the Division of ANCSA Operations for the Bureau of Land Management, said a policy for easements has largely been resolved and he expects to have transferred 25 million acres by the end of 1981.

John Shively, a vice president for NANA regional Native corporation, said he thought the department was "functioning better" since Guy Martin, assistant Interior Secretary for Lands and a former state commissioner of Natural Resources, pledged to speed conveyances about a year ago. But an amendment for "expedited conveyances" was needed.

The amendment, one of several in H.R. 39, would provide for immediate conveyance of each village's core township and expedited conveyance of certain townships selected by the regions, he said.

Arnold said some land has been conveyed to 47 of the more than 200 village corporations and all but two of the 12 regional corporations.

There has been almost as much land—about a million acres—transferred so far this year as was transferred during all of last year and conveyances are targeted to hit 12 to 13 million acres by the end of the year, he said.

Arnold said the chief reason for delay in conveyances was lack of a clear policy for establishing easements across the lands.

After much controversy, many arguments that re-surfaced later in the d-2 controversy, the Interior Department in early 1976 established a system of continual easements for recreational uses along sea coasts, lakes and streams and "floating easements" for utility corridors.

Calista Corp., joined by other regional corporations, filed suit against the Interior Department in May 1976, effectively bringing a halt to land conveyances.

The easement guidelines were struck down in federal district court in Anchorage in July 1977 and a new easement policy was not prepared until last May.

Stan Bronczyk, chief of the board of easements identification in the BLM's ANCSA division, said the new guidelines eliminate shore and streamline easements and provide for utility corridors only if the route has been identified and is to be built within five years of conveyance.

Bronczyk said few utility corridors have been identified and in most cases condemnation will have to be used when rights-of-way are needed.

The easements provide recreational access through Native lands to state or federal lands, but other recreational use of Native lands is not provided.

Bronczyk said one-acre campsites are designated every 10 or 20 miles along streams where persons traveling across Native land may stay for no more than 24 hours. Fishing and hunting are prohibited at the campsites, but Bronczyk said fishing is still allowed from boats, since the water and fish are state resources.

The easement guidelines do not sit well with sportsmen's groups and others who favor open access for recreation, but Bronczyk said they satisfy the legal objections of the court and were largely satisfactory to Natives.

Arnold said a staff of more than 40 adjudicators in his office is preparing easements for each conveyance but they remain the major obstacle against the immediate transfer of land.

While continuing efforts to gain title to land, Natives also must worry about holding on to it.

The claims act stated that Native holdings would be subject to taxation 20 years after passage. If Arnold's timetable for conveyances is met, Natives will pass the halfway mark of the moratorium on taxation with only a bit more than half their land entitlement in hand.

Shively said a simple expedient, one offered in the d-2 legislation, is to postpone taxation on land until 20 years after conveyance.

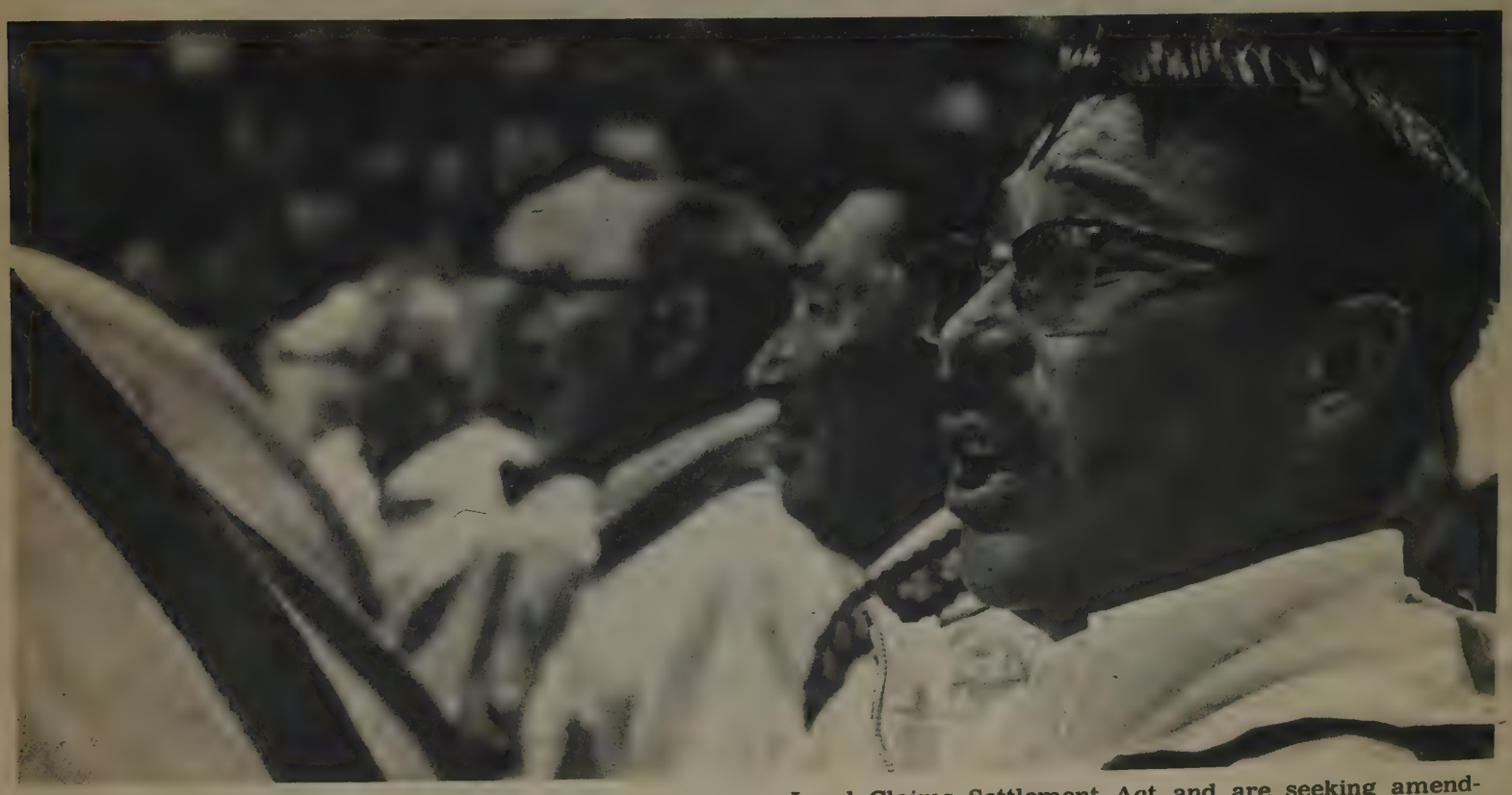
Of more importance to long-term interests is an amendment to establish a land bank in which Natives could put undeveloped lands to avoid taxation.

Without a land bank, Shively said corporations would be forced to develop land or lose it to taxation. Development could interfere with subsistence uses, he said.

The concept is supported by the Hammond administration, which has proposed a cooperative management system for state, Native and federal land in adjacent areas.

Other proposed amendments deal with exchanges of Native allocations for state or federal allocations.

Shively said these amendments were designed to eliminate inequities in the selections available to some regional and village corporations.



NATIVES CONCERNED—This Eskimo drummer participates in the annual Eskimo-Indian Olympic Games held in Fairbanks. Alaska's Natives have received little of the land they were promised in the 1971 Alaska Native Land Claims Settlement Act and are seeking amendments to proposed Alaska national-interest lands legislation to speed land conveyance by the Interior Department. *(News-Miner staff photo)*

STATE of ALASKA

Showing Federal Withdrawals and Land Conveyed to the State

JANUARY 1979

EXISTING FEDERAL RESERVES

- A. Tongass National Forest
- B. Chugach National Forest
- C. Cape Newenham National Wildlife Refuge
- D. Nunivak National Wildlife Range
- E. Clarence Rhode National Wildlife Range
- F. Arctic National Wildlife Range
- G. Military Reservation
- H. Naval Petroleum Reserve No. 4
- I. Katmai National Monument
- J. Kenai National Moose Range
- K. Mt. McKinley National Park
- L. Glacier Bay National Monument
- M. Kodiak Wildlife Range

NEW NATIONAL MONUMENTS

1. Aniakchak
2. Bering Land Bridge
3. Cape Krusenstern
4. Denali (Addition)
5. Gates Of The Arctic
6. Glacier Bay (Addition)
7. Katmai (Addition)
8. Kenai Fjords
9. Kobuk Valley
10. Lake Clark
11. Noatak
12. Wrangell-St. Elias
13. Yukon-Charley
14. Becharof
15. Yukon Flats
16. Admiralty Island
17. Misty Fjords

Map Prepared by James R. Burton for the Fairbanks Daily News-Miner

ALASKA LANDS NOW

This map shows the current federal land withdrawals in Alaska, along with state and Native corporation land selections. The state selections shown are only the 23 million acres of the state's land selections which have been transfered to the state. The map includes the federal land withdrawals made before the Alaska Native Claims Settlement Act of 1971, such as the National Petroleum Reserve, the Arctic National Wildlife Range, McKinley National Park and the military reservations around Fairbanks. Also shown are the 17 new national monuments and the wilderness study withdrawals made by the Secretary of Interior last year. Native lands on the map are the village corporation lands and other selections not contested at this time, adding up to about three quarters of the 44 million acres due them under Alaska Native Claims Settlement Act. The land in the area not colored in the map is mostly federal land not in formal management systems, state land selections which have not been patented and Native regional corporations selections.

- 56 million acres — NATIONAL MONUMENTS
- 54 million acres — WILDERNESS STUDY AREAS
- 68 million acres — EXISTING FEDERAL RESERVES
- 22 million acres — STATE PATENTED LAND
- 30 million acres — NATIVE LAND SELECTIONS

STATE of ALASKA

Showing Federal Withdrawals and Land Conveyed to the State

JANUARY 1979

EXISTING FEDERAL RESERVES

- A. Tongass National Forest
- B. Chugach National Forest
- C. Cape Newenham National Wildlife Refuge
- D. Nunivak National Wildlife Range
- E. Clarence Rhode National Wildlife Range
- F. Arctic National Wildlife Range
- G. Military Reservation
- H. Naval Petroleum Reserve No. 4
- I. Katmai National Monument
- J. Kenai National Moose Range
- K. Mt. McKinley National Park
- L. Glacier Bay National Monument
- M. Kodiak Wildlife Range

NEW NATIONAL MONUMENTS

1. Aniakchak
2. Bering Land Bridge
3. Cape Krusenstern
4. Denali (Addition)
5. Gates Of The Arctic
6. Glacier Bay (Addition)
7. Katmai (Addition)
8. Kenai Fjords
9. Kobuk Valley
10. Lake Clark
11. Noatak
12. Wrangell-St. Elias
13. Yukon-Charley
14. Becharof
15. Yukon Flats
16. Admiralty Island
17. Misty Fjords

Barrow
Kaktovik
Umiat
Arctic Village
Kotzebue
Nome
Tanana
Fairbanks
Eagle
Big Delta
McGrath
Northway
Bethel
Anchorage
Valdez
Cordova
Seward
Yakutat
Homer
Naknek
Kodiak
Juneau
Sitka
Petersburg
Wrangell
Ketchikan

Map Prepared by James R. Burton for the Fairbanks Daily News-Miner

ALASKA LANDS NOW

This map shows the current federal land withdrawals in Alaska, along with state and Native corporation land selections. The state selections shown are only the 23 million acres of the state's land selections which have been transfered to the state. The map includes the federal land withdrawals made before the Alaska Native Claims Settlement Act of 1971, such as the National Petroleum Reserve, the Arctic National Wildlife Range, McKinley National Park and the military reservations around Fairbanks. Also shown are the 17 new national monuments and the wilderness study withdrawals made by the Secretary of Interior last year. Native lands on the map are the village corporation lands and other selections not contested at this time, adding up to about three quarters of the 44 million acres due them under Alaska Native Claims Settlement Act. The land in the area not colored in the map is mostly federal land not in formal management systems, state land selections which have not been patented and Native regional corporations selections.

56 million acres
NATIONAL MONUMENTS

54 million acres
WILDERNESS STUDY AREAS

68 million acres
EXISTING FEDERAL RESERVES

22 million acres
STATE PATENTED LAND

30 million acres
NATIVE LAND SELECTIONS

GLACIER BAY—John Hopkins Glacier and the surrounding Fairweather Range look deceivingly small in this aerial photo of Glacier Bay, an existing federal monument in the northern tip of the Alaska Panhandle. President Carter fueled the lands controversy in Alaska recently by setting aside 56 million acres in 17 new monuments.

(Alaska Airlines photo by Bob & Ira Spring)

MOUNT McKINLEY—The north face of 20,320-foot Mount McKinley, tallest peak in North America, is seen from a glacial pool near Wonder Lake in Mount McKinley National Park. The cow moose is feeding on the bottom of the pool.

(Alaska Airlines photo by Bob & Ira Spring)

POLAR
PAM
5178

POLARPAM

SUBSISTENCE—One of the many complex issues created by the Alaska lands legislation is the future of subsistence hunting in Alaska. Alaska's Natives are pushing for guarantees of subsistence hunting on federal land withdrawals in Alaska. Alaskan sportsmen are concerned about any legislation which might define subsistence hunting along racial lines or favor rural hunters over urban hunters. *(News-Miner staff photo)*

Natives' No. 1 objective: subsistence

The major aim of some of the most active lobbying on d-2 national lands legislation can be summed up in a word: subsistence.

In a near unanimous voice, Alaska Natives have made it known that if nothing else is accomplished by d-2, it should protect their right to continue to live by hunting and fishing in the way of their ancestors.

Their words have not fallen on deaf ears. While other interests waxed or waned in different versions of the d-2 bill, the principle of protection of the subsistence lifestyle remained intact.

The principle was continued for the 17 national monuments established late last year after the final d-2 bill was killed by Sen. Mike Gravel, D-Alaska. Except for one monument, the Kenai Fjords, where no subsistence use was documented in the past, hunting and fishing by local residents for subsistence purposes are allowed.

Although state fish and game management policy places subsistence at the top of the list of priorities for use of the resources, rural residents believe practice has favored urban and sports users.

The Alaska Native Claims Settlement Act of 1971, which established a corporate structure for management of land and money, did nothing to protect subsistence lifestyles.

A declaration in the act stated that "any claims of aboriginal title in Alaska based on use and occupancy . . . and including any aboriginal hunting or fishing rights that may exist, are hereby extinguished."

John Shively, vice president for operations of NANA Regional Corp., said that section referred only to legal claims Natives might have against past practices that may have harmed hunting and fishing rights.

Language in the conference committee report on the bill said the state and federal government should take any actions necessary to protect subsistence needs, he said.

But in light of what they saw as an indifferent or hostile attitude toward subsistence users on the part of the state, Natives decided to use d-2 as a vehicle to nail down subsistence rights once and for all.

They had plenty of help. In the course of hearings in Fairbanks in the summer of 1977, Rep. John Seiberling, D-Ohio, said he was prepared to provide for subsistence needs of Natives, even if he had to use a racial definition for the subsistence user.

A racial definition for subsistence, which would be unconstitutional under state management, was dropped in later versions of the bill. Neither Jerry Gilliland, special assistant to the Secretary of Interior, nor spokesmen for the Alaska Federation of Natives, said they want it in.

The state, Natives and Interior have basically agreed to the definition for subsistence user adopted by the Legislature last year as a local resident who uses the resource for food.

The definition is expected to be refined further when the combined state Boards of Fisheries and Game meet in Anchorage March 24-28 to draw up regulations for a new section in the Department of Fish and Game for subsistence.

The need for restrictive definitions for subsistence is disputed by sports hunters. Dale Bondurant, representing sportsmen's groups in Anchorage, said the definition would give priority use of fish and game to a selected few.

"With complete control on the 44 million acres (conveyed through the claims act), plus priority use on all federal lands, leaving only small pockets of state land, the effect will be that the majority of Alaskans will be denied the use of our fish and game," he said.

Interim regulations governing subsistence use in the new monuments were made "in a manner consistent with H.R. 39," and Gilliland said permanent regulations to be established by August will probably rely heavily on language established by the state regulations. H.R. 39 is the environmentalist version of the lands bill that passed the U.S. House last year.

"In general," the interim regulations said, "local rural residents are allowed to continue subsistence hunting and trapping in the new Alaska National Monument areas," subject to state and federal law.

The regulations prohibit sports hunting or commercial trapping in 13 of the monuments.

Gilliland said he expects that monument regulations are a stopgap measure until Congress passes d-2 legislation. Shively also said d-2 legislation was preferable to the monuments.

The chief difference for subsistence management would be regional councils to direct management policies. Both House and Senate versions of the d-2 bill last year would have established such councils. Monument regulations do not address them, although Gilliland said they might if it appeared the monuments were going to be permanent.

The status of the councils is still being debated by state fish and game officials and Natives.

Natives want the councils to have the final say over subsistence regulations unless their proposals are "not supported by the substantial evidence as presented to the board," violate "recognized principles of fish and game management conservation," or "would be detrimental to the satisfaction of rural subsistence needs."

State fish and game officials prefer an advisory capacity for the councils.

Another point of debate is the degree of federal supervision of state management of subsistence resources.

Shively said the House bill provided for intervention by the Interior Secretary in case of a dispute between regional councils and the state. The Senate compromise would have provided for parties to take disputes to federal district court, he said.

Shively said all parties recognized that courts were a cumbersome way to settle management disputes and that it would be in the best interests of the state to agree to oversight by the Interior Department.

However, state Fish and Game Commissioner Ronald Skoog told a House Merchant Marine and Fisheries subcommittee last Tuesday that a system of federal oversight would seriously erode the state's authority to manage fish and game.

"My department, the state Legislature and the governor recognize fully the needs of rural peoples for fish and wildlife resources," he said.

The Environmentalists

Those seeking protection of state's wilderness attached d-2 amendment to Natives claims act

By BILL CRAMPTON
Staff Writer

In the 1960s several interest groups seeking a slice of the Alaska land pie focused their attention on a Native land claims settlement.

Natives wanted protection of land rights and compensation for land already lost to encroachment. The state of Alaska wanted lands it was entitled to under the Statehood Act. Business interests wanted more land conveyed into private hands. Oil men wanted exploration, drilling and a pipeline.

And when it became obvious that Alaska's land was up for grabs, a group of Alaskan conservationists joined in the free-for-all. They began an effort to include in any land claims settlement a provision that would preserve vast acreages of spectacular land "in the national interest."

The effort was backed by national conservation groups, pushed by powerful politicians, and eventually evolved into section 17(d)2 of the Alaska Native Claims Settlement Act of 1971.

Today, "d-2" is a symbol of controversy and a household expression in Alaska. For some, it represents a threat to the development and lifestyles of the state. For others, it means protection of lifestyles and land from forces of destruction so common in the Lower 48.

It's Alaska's No. 1 issue.

Yet, for all its implications today, at the time the national interest amendments were being considered for inclusion in the Native claims settlement, most Alaskans were paying very little attention to Section 17(d)(2) of the bill.

Concern was so great to get a lands claim settlement, so statehood land conveyance could continue and a pipeline could be built, that Alaskans and the Alaskan press, except for occasional mention, let d-2 get lost in the rush for a claims bill.

Section 17(d)(2), or the national interest amendment, gave Congress until December 1978 to designate federal lands to be included in the national forests, parks, wildlife refuges, and wild and scenic rivers. It authorized the Secretary of Interior to withdraw up to 80 million acres for that purpose, but set no limit on the amount of land Congress could so designate.

Where did the concept that d-2 represents originate? How did d-2 get into the Native Claims Settlement Act?

Since the late 1950s Alaska conservationists had discussed among themselves the idea of a comprehensive land-use study to determine which lands should be preserved as wilderness. But a formal plan of action on how to conduct such a study, or how to achieve wilderness designation for certain lands had never materialized.

In February 1967 Alaska conservationists gathered for a wilderness workshop to discuss the future of Alaska's lands. One of the results was the creation of the Alaska Wilderness Council, a group of Alaskans representing several environmental organizations whose goal was to decide which of the state's land should be maintained as wilderness.

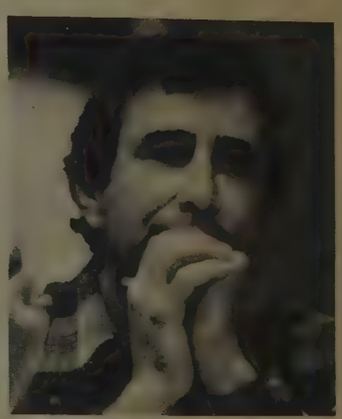
The Alaska Wilderness Council may have been the source of d-2.

Marc Hickok of Anchorage was an active member of the Wilderness Council.

Hickok remembers: "It was the Forest Service who inspired us to begin a comprehensive study of Alaska's land. Our first project was a study on an enlargement of Mt. McKinley National Park. It was a comprehensive study, not a shoot-from-the-hip proposal."

Then in 1969 the Wilderness Council was approached by Joe Fitzgerald, chairman of the Federal Field Committee for Development Planning in Alaska. The committee, formed in 1964 to coordinate planning among federal and state agencies after the earthquake, had been asked by Sen. Henry Jackson, D-Wash., to conduct a comprehensive study of Alaska lands. Jackson wanted the information to aid him in writing a Native claims settlement act.

CELIA HUNTER



ROBERT WEEDEN

"Fitzgerald came to the Wilderness Council and asked us to undertake a study of the land with high scenic value that could be involved with state highway proposals," Hickok said. "We catalogued these areas for state hearings on highway proposals."

She said these studies by the Wilderness Council were the first comprehensive land-use plans for Alaska and formed the background or foundation for the national interest amendment.

While conservationists were proceeding with their studies, other events were taking place in the state that paved the way for the claims act and the d-2 amendment.

In the early 1960s Alaskan Natives became concerned about threats to aborginal rights to land used by their ancestors for centuries. One of the major threats was the Statehood Act, which allowed the state to select 103 million acres from the public domain. Natives feared their rights to land would be usurped by the state selections.

In 1966 Secretary of Interior Stewart Udall ordered a "land freeze" on state selections until Congress enacted a Native claims settlement.

And when oil was discovered on the North Slope in 1968, the oil industry sought permits from the Interior Department for a trans-Alaska pipeline. But no permits could be issued until Native land claims were settled.

(See ENVIRONMENTALISTS, page C-17)

SWORN IN—Former President Richard Nixon swore in Rogers C.B. Morton as secretary of the Interior in January 1971. Morton was Interior secretary when Congress passed the Alaska Native Land Claims Settlement Act, which contained section 17(d)2 authorizing the secretary to set aside vast tracts of federal land for nationals parks, wilderness areas and similar withdrawals. Slow implementation of the claims settlement and consideration of park and wilderness proposals have delayed Alaska from completing its selection of 103 million acres promised in the Statehood Act. *(AP Wirephoto)*

THE ENVIRONMENTALISTS . . .

(Continued from page C-16)

Who was to receive what land and the uses of the land hinged on the outcome of a claims bill.

"We began to realize that the land was being divided and knew it was time seek areas that would be protected," says Celia Hunter of Fairbanks, a long-time Alaskan conservationist and former national president of the Wilderness Society. "We wanted the public interest to be served."

Bob Weeden, a wildlife biologist with the University of Alaska and the Alaska representative for the Wilderness Society, the Alaska Conservation Society, and the Sierra Club in 1969-70, said that when the Native claims process began developing "it became clear the bill would be a major land settlement. We never even thought as grandly as a statewide designation of parks until the Native claims act."

"We didn't perceive the Native claims act as a vehicle to set aside lands in the public interest until 1970," Weeden said.

Since 1969, Congress had been working on a Native claims bill and in 1970 the Senate passed a bill sponsored by Sen. Jackson that was unacceptable to the Natives.

But with pressure building to get moving on a pipeline, and an increased awareness among legislators of the desire of the Natives to get a more generous bill, the claims settlement process began its rush to the climax in the autumn of 1971.

At the same time, the effort to include a national interest amendment intensified.

In 1971 the Sierra Club and the Wilderness Society sponsored a wilderness conference that was attended by members of the Alaska Wilderness Council.

"We heard national conservation leaders say their efforts to get a land-use planning amendment into a claims bill had failed," says Hickok, who attended the conference.

She said that by this time the Wilderness Council had made substantial progress on its efforts to determine which of Alaska's land would be best served by remaining pristine.

"Because our work was so developed, members of the council suggested that we support an amendment asking the secretary of Interior to withdraw lands for study and possible inclusion into the park system," Hickok said.

National conservation organizations began to lobby for a national interest amendment and one of the first politicians they turned to was Rep. Morris Udall, D-Arizona.

"We probably could never have sold the idea, except that Udall was already familiar with the concept because of similiar proposals in the Senate," Hickok said.

Udall met with the Wilderness Council to discuss how many acres should be proposed as study lands for possible inclusion into the park system. Hickok said Udall asked one member how many acres should be included and received the answer 35 to 40 million acres; another suggested 150 million.

"How about 80 million?" Udall asked, according to Hickok.

"Nobody ever thought it would fly," Hickok said.

Udall took the national interest amendment to the House of Representatives, and national conservation organizations began a national publicity campaign to gather grass-roots support.

"Immediate action by all conservation-minded Americans is needed to save the most vulnerable part of America's public domain—the 375 million acres of Alaska," stated a pamphlet titled "Don't Let Them Plunder Alaska" and distributed by the environmental organization Citizens Committee On Natural Resources.

"It is critically important to the cause of conservation that these amendments be adopted by both houses of Congress. The only way to bring this about is for as many citizens as possible to call on representatives and senators to vote in favor of both these amendments.

"And time is short. As this is written the Native claims legislation is due for floor action in both the Senate and House of Representatives within a few days," the pamphlet stated.

In a letter to President Richard Nixon, who supported a Native claim bill, environmental organizations urged the president to support a national interest amendment.

"In transferring 40 million or more acres from public to Native ownership, it would set up a sequence of land selection and disposition that would relegate the national interest to the lowest priority. State, Native and private interests would receive preference over the public's interest in areas of the highest aesthetic, cultural, scientific, wildlife, and wilderness values. The present land management confusion in Alaska would only be intensified by this legislation."

Signers of the letter included the Alaska Action Committee, Citizens Committee on Natural Resources, Defenders of Wildlife, Environmental Action, Friends of the Earth, Sierra Club, Trout Unlimited, The Wilderness Society, Wildlife Management Institute, Zero Population Growth and National Wildlife Federation.

A frequent charge by many Alaskans is that the d-2 amendment was imposed upon Alaskans by Outsiders and that environmentalists slipped the amendment into the bill when no one was looking.

"How could we slip something like that by?" asked Celia Hunter. She said there was nothing tricky about how the amendments were included in the final bill. It was the result of wise use of the democratic process, she says.

And it wasn't just Alaskan conservationists who had support from Outsiders, Hunter said. "The Natives were getting assistance from the oil men, and the state of Alaska was also receiving Outside assistance."

Jack Hession, Alaska representative for the Sierra Club since 1970, said it was ridiculous to think the d-2 amendments were the result of some dirty political tactics.

"It had nationwide appeal. There was a national campaign for the amendments and a full floor debate." Hession said. "It was not a last-minute thing that got flipped in."

The Sierra Club representative said the concept of a national interest amendment had been batted around since 1970 when the Senate Interior Committee approved a similiar provision in a claims bill that died in the House that same year.

"In 1970, the Federal Field Committee for Development Planning in Alaska published 'Alaska Natives and the Land,' which was a pitch for reviewing the land for conservation purposes," Hession said, adding, "If the claims bill was going to be truly comprehensive lands legislation it was going to have to take into account the public interest."

He noted that Alaskan conservationists were the leading proponents of the national interest amendments, with backing from national conservation organizations.

There was some lobbying against the d-2 amendment by industry and others, Hession said, but a desire to get a Native claims bill outweighed the desire to kill a bill because of the national interest amendments.

In October 1971, a claims bill cleared the House Interior Committee and was sent to the House floor, where Udall and Rep. John Saylor, R-Penn., waged a battle for the national interest amendments. After two days of debate the House defeated the amendments and approved a claims bill.

But by voice vote the Senate approved a claims bill that included a provision similiar to that proposed by Udall and Saylor.

Because of the differences between the two bills, a conference committee was formed to hammer out a bill suitable to both chambers.

There were some powerful politicians in that conference committee, such as Jackson, Udall, Sen. Alan Bible, D-Nev., and Saylor, who were supporters of the d-2 amendment.

In the proceedings of that conference committee, where no minutes are kept, the national interest amendment supporters prevailed. Section 17(d)(2) was in the bill that came out of the committee and was approved by Congress in December 1971.

Environmentalists are split on hunting issues

The Alaska Coalition, the primary organization lobbying on the conservation side of the Alaska lands issue, includes a lengthy list of conservation groups.

Some members of the coalition are Lower 48 environmental groups; others are Alaskans. Are there differences between them?

There apparently is no disagreement on the philosophy behind the national interest or "d-2" amendments included in the Alaska Native Claims Settlement Act, or the general shaping of current legislation stemming from the act.

"The main difference of opinion is the extent of hunting opportunities that should be allowed," says Bob Weeden of the Alaska Conservation Society, a group that frequently differs with national conservationists and other Alaskan environmental organizations.

"Most conservationists in Alaska are not against hunting; it's not a big moralistic issue to them," Weeden said.

He said the subsistence issue sometimes causes a rift between Alaskan conservationists and Outsiders. "It's very hard for someone from San Francisco or New York to know what subsistence is all about," Weeden said.

Alaskan conservationists are a primary force behind the attempt to include subsistence regulations in Alaska lands legislation, he added.

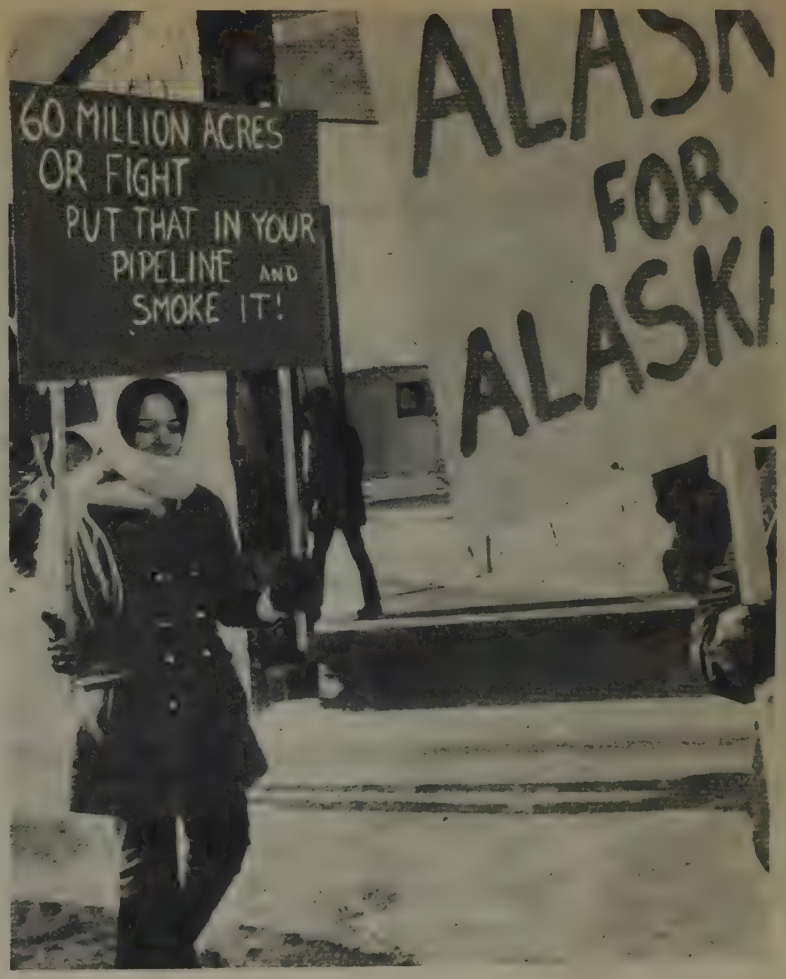
Weeden also said there is some disagreement among conservationists over federal oversight of fish and game activities in the state. Lower 48 environmentalists tend toward stressing the federal role in management of Alaska's wildlife on federal lands, while many Alaskan conservationists prefer state control.

The Alaska Coalition should not be confused with the Real Alaska Coalition, which is composed of Alaskan outdoor groups.

The Real Alaska Coalition opposes any lands legislation that does not guarantee reasonable access to all public lands and waters in Alaska for traditional uses or state management of fish and game. The group also seeks a reduction of the proposed areas closed to hunting, trapping, fishing and other recreational pursuits.

The Real Alaska Coalition last year urged Sen. Mike Gravel, D-Alaska, to kill the compromise d-2 bill because it wasn't happy with fish and game management provisions.

Members of the Alaska Coalition include the Alaska Center for the Environment, the Alaska Conservation Society, Brooks Range Trust, Costeau Society, Defenders of Wildlife, Denali Citizens Council, Environmental Defense Fund, Fairbanks Environmental Center, Federation of Western Outdoors Clubs, Friends of the Earth, Garden Club of America, Interior Ecology Society, National Audubon Society, National Parks Conservation Association, Sierra Club, Southeast Alaska Conservation Council, Trout Unlimited, Trustees for Alaska, United Auto Workers and the Wilderness Society.



PROTECT THE LAND—Alaska Methodist University students marched in front of an Anchorage auditorium in March 1971, during an Interior Department hearing on construction of the trans-Alaska pipeline. Later that year, Congress passed a Native claims settlement act which included a provision authorizing withdrawal of up to 80 million acres of federal land in Alaska for park and wilderness units. *(AP Wirephoto)*

POLAR
PAM
5178

POLARPAM

The Six Points

Gov. Jay Hammond forges a 'unified position' on state's priorities for Alaska lands lobbying

By CHARLIE SPENCER
News-Miner Bureau

JUNEAU—Alaska's position in the d-2 controversy, said an aide to the governor recently, is like being under an avalanche "and there are people up above stomping on the snow."

There has been much confusion and disagreement about what to do down below. But in January Gov. Jay Hammond announced his plans for leading the state out from under the avalanche.

First, he said in a statewide television address, Alaskans had to agree among themselves that the status quo was unacceptable. A snowstorm might not be so good, but an avalanche overhead was intolerable.

From there, Hammond reasoned, the best strategy was to agree to disagree on some of the specifics of any future legislation, but more important to agree on as much as possible.

To focus that agreement, Hammond came up with six "consensus points" he felt would be acceptable to nearly everyone. If he could develop a "unified front," Hammond reasoned, he would have the ammunition to go into the pending Alaska lands battle in Congress.

The points outlined by Hammond then were:

• The 56 million acres of Antiquities Act national monuments is unacceptable and the classification should be overturned;

• All statehood and Native land entitlements should be expeditiously conveyed;

• Adequate access to state and private lands should be preserved;

• The state should manage fish and game on all lands in Alaska;

• Land classification boundaries should be drawn so they don't "virtually destroy potential for utilizing known valuable resources;"

• And traditional land uses should be preserved.

Hammond set about to unite conservationists as well as pro-developers behind the points. He had a series of meetings with various factions on the lands issue—developers, conservationists, Natives and sportsmen.

While they certainly had differences of opinion, Hammond came away from those meetings with the belief that there was considerable unity behind the six points.

The agreement was tenuous and the points were carefully worded.

On Jan. 29, Alaska's Sen. Mike Gravel suggested the Legislature itself embrace the points. He also suggested adding a seventh, a "no more." He wanted a pledge that after this bill passes, the federal government won't continue seeking to tie up even more land in Alaska.

Three weeks later the Legislature embraced the seven points with a resolution. Its language was slightly more specific than Hammond's first outline. For example, it asked Congress to revoke each of the 1978 executive withdrawals, including more than just the Antiquities Act lands.

The administration had its marching orders. But how far will the orders take it?

The administration maintains that the points are not necessarily the "bottom line."

"All of them will get more specific," says Bob Waldrop, special assistant to the governor. What that means was signaled Feb. 15 when John Katz spoke to the state Senate Resources Committee.

The top gun on the administration's d-2 team, Katz said the administration was closely watching the writing of the specific titles concerning subsistence hunting. According to Katz, the federal government was maneuvering to assume control of wildlife and fish for subsistence use within the new monuments.

That clashes with point No. 4. Katz asked the legislators what they thought.

They replied that they thought their resolution was clear enough: the state shall manage the fish and game.

Waldrop, who is coordinating much of the d-2 effort at the governor's office in Juneau, now says he feels safe in predicting that the state will not come out with total fish and game management control.

"We don't have it now," he said.

How close the state comes to the ideal won't be known until late in the game, says Waldrop.

"I don't want to leave anybody with the impression that we're fast to compromise," he said.

Nor will the state's top political leaders—Hammond, Gravel, Sen. Ted Stevens and Rep. Don Young—quickly throw up their hands if they don't get what they want. All have said they will work together for an acceptable bill.

The key is how well the seven points survive.

"If we don't get legislation out of Congress that significantly improves the situtation as it stands now, then we're going to oppose the legislation," says Waldrop, echoing Hammond's earlier statements.

Though the Legislature's resolution may not be interpreted as the absolute bottom line, its passage was interpreted as a "certification" of the administration's tactics.

"We were operating on our own interpretation of the public sentiment," said Waldrop. Also certifying the strategy, Waldrop claims, are hundreds and hundreds of letters now coming in. Some say "don't negotiate" and others range from appeals for secession to approval of the status quo. Most approve of the administration's position, he says.

The most current statement of how the administration is handling the consensus points is contained in testimony given by Lt. Gov. Terry Miller before a congressional committee Feb. 22.

Nearly repeating testimony Hammond presented Feb. 6, Miller discussed the points:

• Compared to the monument and wilderness or wilderness study withdrawals, the "vast majority (of Alaskans) would prefer the enactment of carefully drawn legislation;"

• Last year's unsuccessful final compromise d-2 bill conveyed certain statehood lands selected by the state and removed some of the ambiguities in the interpretation of the Statehood Act. In view of that, Interior Secretary Cecil Andrus promised to speed up land conveyance. But that is not enough.

Needed now is a clarification of the relationship between the Statehood Act and other federal laws such as the Federal Land Policy and Management Act, extended selection periods, and the provision of selection patterns similar to those in the Alaska Native Claims Settlement Act.

• The new bill almost totally ignores transportation and utility access, yet blocks potential access routes to a greater extent than last year's would have.

Likewise the new proposal does not allow the traditional use of snow machines, motorboats or airplanes as previously worked out. In addition, routes to "inholdings" of land within various conservation system units should be guaranteed;

• The treatment of several well-known resource areas under the status quo amounts to "unwarranted environmental overkill."

Obvious areas that should be left open to development include the Marsh Creek anticline in the Arctic National Wildlife Range, the Red Dog prospect in northwestern Alaska, the Borax molybdenum deposit in Misty Fjords, Green's Creek on Admiralty Island and agricultural lands in the western Yukon Flats.

While last year's bill kept a balance between the existing timber cut and protection of pristine areas, the new version would have "a profoundly deleterious impact" in the timber-intensive economy of southeastern Alaska;

• Many commercial, recreational and other uses of public lands "have no significant impact at current levels. There is no reason to condition the continuation of these uses upon the acquisition of a piece of paper from some federal bureaucrat."

Special allowances for new and existing cabins and fisheries-related buildings in wilderness areas were made last year, but have been eroded in new language. Also lost when the monuments were established were protections for sport hunting in many areas;

• The state has "a proven record of high competence in its management of fish and game resources" and should keep control.

The administration objects to the federal government's ending up with subsistence-related regulatory control within national monuments, and is close to reaching agreement with Native leaders as to treatment of subsistence in new legislation. In this case, the new version is largely an improvement over last year's;

• The administration should be prohibited from establishing new areas under the Antiquities Act authority except for the limited purposes for which the act was intended, under the Federal Land Policy and Management Act or under other authority.

In concluding testimony on what they termed the "emerging consensus points," Miller and Hammond told congressmen the state administration will be suggesting specific language for amendments to the legislation as it moves through committee.

The administration is operating under the assumption that there is "both widespread and specific support of virtually all those points," says Waldrop.

The state's position:

- *The 56 million acres of Antiquities Act national monuments is unacceptable and the classification should be overturned;*
- *All Statehood and Native land entitlements should be expeditiously conveyed;*
- *Adequate access to state and private lands should be preserved;*
- *The state should manage fish and game on all lands in Alaska;*
- *Land classification boundaries should be drawn so they don't "virtually destroy potential for utilizing known valuable resources;"*
- *And traditional land uses should be preserved.*

Daily News-Miner, Fairbanks, Alaska, Friday, March 9, 1979—C-19

Alaska land bills compared

This year's H.R. 39

H.R. 39 as introduced by Rep. Morris Udall, D-Ariz.

STATE LANDS: Includes about 7 million acres of existing valid state lands selected before November 1978. Blocks selection of about 11 million acres chosen by state.

CONVEYANCE: Contains no provisions for speeding transfer to state and Natives.

ACCESS: Access to inholdings assured. Traditional modes of transportation permitted subject to secretarial discretion. The Wild and Scenic Rivers Act is amended to permit oil and gas pipelines to cross designated rivers. Existing laws apply to other rights-of-way and forms of access.

SPORT HUNTING: Closes sport hunting on 41 million acres.

OIL AND GAS: Includes about 40 million acres with oil and gas potential in parks, refuges and wilderness areas. Includes Arctic National Wildlife Range coastal plain in withdrawn area. Authorizes Department of Interior oil and gas assessment.

MINERALS: Withdraws about 135 million acres from mineral entry, subject to valid existing rights. Four of seven major Alaskan mineral discoveries identified by Stanford Research Institute included in wilderness areas. Authorizes Department of Interior mineral assessment.

SUBSISTENCE: First priority given subsistence users. $50 million liability clause for those who damage subsistence resources.

COOPERATIVE MANAGEMENT: Provides for federal-state management of Bristol Bay region.

FISHERIES: Commercial fishing allowed. Subject to permits in national parks.

AQUACULTURE: In wilderness, allowed only in Tongasss National Forest wilderness. In non-wilderness, subject to existing law. No specific language on fishing research in National parks.

Huckaby Compromise

The ad hoc compromise worked out in October and reported out from the Interior Committee recently as the substitute by Rep. Jerry Huckaby, D-La.

STATE LANDS: Includes about 1 million acres of existing valid state lands selected before Novemenber 1978. Blocks selection of about 5 million acres chosen by state.

CONVEYANCE: Provides for speeding transfer to state and Natives.

ACCESS: Access to inholdings assured. Traditional modes of travel guaranteed. The Wild and Scenic Rivers Act is amended to permit oil and gas pipelines to cross designated rivers. Directs preparation of a statewide transportation study to be conducted by the state in consultation with the departments of Interior, Transportation and Agriculture. Rights-of-way approved after need is identified in study and satisfies eight criteria

SPORT HUNTING: Closes sport hunting on 20 million acres.

OIL AND GAS: Includes about 30 million acres of lands with oil and gas potential in parks, preserves, refuges and wilderness areas. Excludes Arctic National Wildlife Range from wilderness; directs six-year study of oil and gas potential of the range's coastal plain. Provides that no drilling may occur without congressional approval. Within refuges Seccretary must act on applications for leases within refuges within six months of the application, and within three months if an environmental impact statement is required. Mandates an eight-year North Slope oil and gas study. Sets up a program to facilitate oil and gas leasing and associated activities on other federal on-shore lands in Alaska.

MINERALS: Withdraws about 115 million acres from mineral entry, subject to valid existing rights. None of the seven major Alaskan mineral discoveries identified by SRI are in wilderness. Authorizes Department of Interior mineral assessent. President must report to Congress in 1981 on advisability of exploring withdrawn lands. Sets up system under which withdrawn areas could be opened during times of national need.

SUBSISTENCE: First priority given subsistence users. Secretary can go to court for Natives over subsistence management.

COOPERATIVE MANAGEMENT: Sets up federal-state coordination mechanism. Calls for land management study of Bristol Bay region.

FISHERIES: Commerical fishing allowed. Subject to permits in national parks.

AQUACULTURE: Allowed in all wilderness areas. Research permitted in national parks.

Last year's H.R. 39

H.R. 39 as passed by the House last year and re-introduced by Rep. John Breaux D-La., this year.

STATE'S LANDS: Includes about 6 million acres of existing valid state lands selected before November 1978. Blocks selection of about eight million acres chosen by the state.

CONVEYANCE: Provides for speeding transfer to the state and Natives.

ACCESS: Access to inholdings assured. Traditional modes of travel guaranteed. Wild and Scenic Rivers Act is amended to permit oil and gas pipelines to cross designated rivers.

SPORT HUNTING: Closes sport hunting on 22 million acres.

OIL and GAS: Authorizes Department of Interior oil and gas assessment.

MINERALS: Withdraws about 126 million acres from mineral entry, subject to vaild existing rights. Two of the seven major Alaskan mineral discoveries identified by SRI are in wilderness areas. Authorizes Department of Interior mineral assessment. President required to report results by 1981.

SUBSISTENCE: First priority given subsistence users. Secretary could close all public lands to either all hunting or all but subsistence hunting. If state had closed lands for any reason, Secretary could reopen for 30 days in times of emergency.

COOPERATIVE MANAGEMENT: Provides for state-federal management of Bristol Bay region.

FISHERIES: Commerical fishing allowed. Subject to permits in national parks.

AQUACULTURE: Allowed in all wilderness areas, but language somewhat more restrictive than in ad hoc compromise. Research permitted in national parks, subject to certain specifications.

Senate energy bill

The Senate Energy Committee bill as reintroduced by Sen. Henry Jackson this year.

STATE'S LANDS: Includes about 1 million acres of existing valid state lands selected before November 1978. Blocks selection of about 5 million acres chosen by the state.

CONVEYANCE: Provides for speeding transfer to the state and Natives.

ACCESS: Access to inholdings assured. Traditional modes of travel guaranteed. The Wild and Scenic Rivers Act is amended to permit oil and gas pipelines to cross designated rivers. Directs preparation of a statewide transportation study to be conducted by the state in consultation with the departments of Interior, Transportation and Agriculture. Rights-of-way approval only after need identified in study and eight criteria satisfied.

SPORT HUNTING: Closes sport hunting on 20 million acres.

OIL AND GAS: Authorizes Department of Interior oil and gas assessment. Same as ad hoc compromise.

MINERALS: Withdraws about 100 million acres from mineral entry, subject to valid existing rights. One of seven major Alaska mineral finds—U.S.Borax in Southeast Alaska—is within wilderness areas. Authorizes Department of Interior mineral assessment.

SUBSISTENCE: Same as ad hoc compromise.

COOPERATIVE MANAGEMENT: Same as ad hoc compromise.

FISHERIES: Commercial fishing allowed in national monuments. Subject to permits in national parks.

AQUACULTURE: Same as ad hoc compromise.

POLAR
PAM
5178
POLARPAM

Cecil Andrus

Interior secretary isn't satisfied with Huckaby compromise bill, hints at veto by the president

Q: Last week, Rep. Morris Udall, D-Ariz, and the administration suffered a big setback when the Interior Committee voted to report out the Huckaby substitute instead of a revision of Udall's environmentalist H.R. 39. What was your reaction?

A: Well, I don't think you can call a one-vote difference an upset just because the people who were counting the noses before the vote thought it was one vote the other way.

One vote. That, in the legislative arena, cannot be considered an upset. I have to admit that I was disappointed the Huckaby bill was made the markup vehicle because it has so many glaring errors and weaknesses in it.

Again, it will not be an upset for the protection of Alaska lands because the president and I have both said on many occasions that if we do not get an acceptable bill we have protection for those lands under the Antiquities Act of the monuments and my 204(e) withdrawals, which can become permanent.

So if the end result bill is not acceptable, we'll have protection in Alaska anyway. That's not what we want. We want a congressional resolution of it and frankly I think we will probably have a responsible resolution by the Congress.

We've got floor action yet to come. We've got committee action in the Senate. We've got floor action in the Senate, and we've got conference committee. So I think the difficulties will probably be worked out.

Q: How do you account for the Interior Committee's approval of the Huckaby bill last week. Do you think it was due largely to lobbying by the oil industry?

A: I don't think there's any question that major oil interests in America still carry a big stick on the Hill. That certainly was a difference.

Q: Do you think it could reflect more than that—a slight shift in Congress toward more conservative energy and environmental policies?

A: No, I do not, because if you go back and look at the Meeds substitute of a year ago and the vote and the personalities then you don't have that much difference now. It's basically the same players playing the same way, with some newcomers on the committee that were vulnerable to extensive pressure from the oil industry.

Q: The Huckaby substitute is basically the ad hoc compromise of last year. You've said several times that it is totally unacceptable to you. Did you consider it acceptable in the final hours of Congress last year, and if so, why do you find it unacceptable now?

A: In the final hours of the Congress last year, we tried our very best on all sides—and that includes the administration, Sen. Jackson, Rep. Udall and Sen. Ted Stevens. It was a good faith effort on all of our parts to try to resolve this in the 95th Congress.

I gave some things in those negotiations that I would not have been willing to give up if we'd had the regular legislative process to go through. But it was scuttled. It was scuttled by representatives of the state of Alaska. I just don't believe that it is acceptable in that manner.

Q: What provisions do you find most objectionable?

A: The Huckaby bill, in the short time we've had to look at it, isn't an even honest representation of the ad hoc committee. The administration has consistently recommended wilderness status for the Arctic Wildlife Range to protect the calving ground of the caribou and the other surface values in that area.

We agreed in the ad hoc committee last year to designate a major portion of that as wilderness including a strip clear from the Arctic Ocean on the Beaufort Sea down the border next to Canada as wilderness and I don't see that clearly depicted in the Huckaby substitute.

So they keep saying this is the work of the ad hoc committee. I think it's the portions of the committee's work that the oil industry wanted, but they edited it with quite a broad brush.

Also, we did not agree to a "no-more" provision. The administration has consistently had the smallest wilderness designation because we felt that some of these areas should not be designated wilderness until they were studied, which would be a positive point for the people of Alaska. So we did not agree to a "no-more" provision, yet that's in the bill.

They took the parts that they wanted in the substitute and put it into the bill, got lucky and had a one-vote margin. If you look again at the votes last year, 277-31 on the floor, I think there's adequate intelligence on the House floor to correct some of the watershed area on the southeast part or the flats. There's a little difference down in the Wrangells, also in the firing-line situation down next to Katmai.

So in my opinion, it's a defective document, if you were looking for administrative approval of that document. But I don't think we even have to consider that yet until we get to the conference committee.

Q: You said in an appearance before the Interior Committee that you had no intention of hanging a veto threat over the heads of the committee. But now you are talking about the possibility of vetoing the Huckaby bill, if passed. Do you regret not spelling that out earlier, before the committee?

A: I don't think that any administration gets very far by threatening. But I'm saying we want a responsible piece of legislation before we give up the Antiquities Act designations and the withdrawals we've taken care of.

I do not consider the so-called Huckaby substitute to be a responsible piece of legislation when you're dealing with Alaska. But it's too early to tell what will happen. When asked the question: If the Huckaby substitute would pass both houses of Congress and the conference committee as it stands, would your recommendation to the president be to veto that type of legislation? But that's a hypothetical question that frankly I don't think we're going to have to consider. I think the final resolution of the Alaska d-2 issue is going to be very close to the proposal the administration put forth in September 1977. I think that's a fair proposal for Alaska, and a fair proposal for the people of the United States.

Q: How does your Alaska lands proposal fit into your overall philosophy on the role of the U.S. Interior Department?

A: I think it fits in very, very well because we're discussing management of the resources, not disposal of the resources, and a balance between the conservation ethic and the developmental ethic.

In Alaska, in your newspaper and others, in fact, they've had a tendency to keep referring to H.R. 39 in the headlines and in the dialogue. They use for comparison purposes the old original H.R. 39 that was written clear back in 1977. But the current H.R. 39 proposal is not the same piece of legislation and the adminstation's proposal is not even close in acreage to the H.R. 39 proposal and I don't think that your newspaper or the Anchorage Times has been fair in showing the difference between the different proposals.

But I'm not the publisher. I know they'll continue to do as they please and have their fancy little cartoons. I'm more concerned with an end result that is responsible and acceptable to the American people, including Alaskans, because they're part of the American people, than in the emotional, fringe elements.

CECIL ANDRUS
Secretary of the Interior

Q: Are you now taking steps to make your three-year emergency withdrawals in Alaska permanent?

A: Yes, but not because of the action last week in the House. There's one thing that I have done consistently throughout my public career and that is to tell people up front what we're going to do. I told them that if we didn't have a bill last year we'd protect the areas. We did.

I said we'd move to make permanent under 204(c) those areas we withdrew under 204(e). We've been doing that ever since the action took place last November. We are at a stage where we just about have the necessary paperwork completed to present that for the hearing process and submission to the Hill.

We've been working on it for about four months. It's not something we've tried to do in the last week. If we don't get a responsible bill, I'll be in a perfect position to go to the president and recommend the alternative we've already discussed.

Q: Do you think the House Merchant Marine and Fisheries Committee will report out a bill you would consider more environmentally acceptable?

A: I wouldn't want to second-guess the Merchant Marine subcommittee. It deals in the areas of refuges. But let me point out to you that in the administration proposal we took the mineral assessment maps of Alaska and the USGS and left all the high-potential known oil and gas purposely outside the boundaries.

Ninety per cent of the high-potential oil and gas areas in Alaska are outside the administration's boundaries. The only area where I deviated from that was in the Arctic Wildlife Range because I felt that the range was more important for its surface values—the caribou herd, all the migratory waterfowl, the musk ox, the polar bear—than for its possible subsurface value of oil.

That does not preclude your children or my grandchildren from making a decision later to go in and get the oil. But they should do that by making a conscious decision. By then, hopefully, technology will be available where they can slant-drill the coast.

There are other high-potential areas that have the capacity to run the oil pipeline clear full 365 days a year—further development of Prudhoe Bay, the joint federal lease sale in the Beaufort Sea, and other areas that would be much closer to the pipeline than would a find in the Arctic Wildlife Range.

The latest studies by the USGS say there is not another Prudhoe Bay find in the Arctic Wildlife Range but perhaps moderate finds from 10 million to 200 million barrels. Then you have an economic situation on how many miles the oil is from the existing oil pipeline. Is it economic to run a pipeline over there to pick up 50 million barrels?

Q: But why are you opposed to oil exploration as well as development?

A: Once you find a discovery of commercial quantity, then you get people in there working to produce it—which is only normal. And whether they can do it economically or not, they're going to be in there at a time of the year when they will disrupt the surface values.

If we have that kind of exploratory expertise that is not being used someplace else on-shore, let's put them to work in the Beaufort Sea; let's put them to work in the Gulf of Alaska; let's put them to work developing the Lower Cook Inlet sale that is still on the shelf.

We sold that in October 1977—84 tracts that looked very good. They've only drilled three wells so far today, and one is completed, and two of them are under way, and it's been over a year and a half. The industry shows no great concern to get down there.

Q: Rep. John Breaux, D-La., chairman of the Merchant Marine and Fisheries subcommittee considering d-2 legislation, has said the overriding

(See ANDRUS, page C-21)

POLAR
PAM
5178

POLARPAM

Federal policies affect lifestyles

With the federal government owning more than 300 million acres of Alaska's land, federal land policies play an important role in the lifestyles of Alaskans.

Changes in the policies of the Bureau of Land Management, the National Park Service, the Forest Service, and the Fish and Wildlife Service bring changes to Alaska.

Over the years the most dramatic changes in federal land policies have occurred with the Bureau of Land Management, which holds title to 215 million acres in Alaska.

From its inception in the 1800s until Congress passed the Federal Land Policy and Management Act of 1976, the BLM was primarily a "land disposal agency," said Carl Gidlund, chief of public affairs for the BLM in Alaska.

But the Federal Land Policy and Management Act included an organic act for the BLM that ended homesteading in the Lower 48, threw out outdated laws and granted the agency the right to not only hold title to its lands, but to manage them as well.

Because Alaska's land had been locked up under the land freeze, homesteading was permitted here for another 10 years, but the regulations to allow homesteading have never been finalized.

The BLM organic act declares: ". . . the policy of the United States is that public lands be retained in federal ownership and that there be no more mass disposal of lands unless for a higher use," Gidlund said.

Where once BLM merely held title to its Alaska land and pretty much let people do what they pleased, such as building a cabin anywhere, today they tell people what they can do with the land and where.

BLM regulates such activities as mining, wood-cutting, hunting and fishing, road building, and off-road vehicles.

"And with the passage of the Alaska Native Claims Act of 1971 the rules relating to the use of the land have gotten tougher," Gildlund said.

He said the major activity of the BLM currently is to survey all of its land in preparation for conveyance to the state and Natives. "It's the biggest surveying job in the history of the world," he said.

BLM must ensure that any lands with wilderness characteristics that might be conveyed to Natives or the state remain pristine until they are conveyed, Gidlund said.

BLM also must protect lands from degradation under the BLM Wilderness Act, which was included in the Federal Policy and Land Management Act of 1976.

"We must examine all lands for wilderness potential and make recommendations to Congress on which lands should remain wilderness by 1991," Gidlund said.

He said that until the process is complete—and it has been hampered by lack of money—BLM must consider whether activities, such as mining, will degrade lands with wilderness characteristics.

"We can't allow any activities to take place that will impair wilderness lands," he said.

That is quite a change, Gidlund said, since under the 1872 Mining Law "miners could virtually do anything they wanted to do on public lands."

Changes have also come to the National Park Service, which manages 48 million acres in Alaska.

The goal of the Park Service is to manage areas for "enjoyment and recreation while protecting the land from impairment," says Bob Belous, information officer for the Park Service in Alaska. "We conserve scenery and wildlife." He said the Park Service must also preserve the historic and scientific values of the land.

If Park Service land is adversely affected by too many people, "then we try to limit access," Belous said. "We must balance visitor impact."

He said the Park Service has three designations of land: natural areas, historic areas and recreation areas. The recreation areas allow the highest density and more activities.

One of the major changes for the Park Service is a new designation, the preserves. "There are several preserves slated for Alaska," Belous said. "The uses are more flexible."

He said hunting, trapping, vehicle travel and even mining and timbering can be permitted in preserves.

Another recent change for the Park Service, especially in Alaska, is increased cooperation with the state, Belous said.

"This agency has the highest cooperation with the state," he said. But he added that where there is a conflict with the state over management of land within Park Service borders, federal policy overrules state wishes.

Belous said another concept new to the Park Service and peculiar to Alaska is regulations protecting subsistence lifestyles.

"Subsistence activity is as important as anything else and must be protected. It's imperative we preserve the biological stability that guarantees subsistence," he said.

The Forest Service manages 20 million acres of Alaska's land, 16 million in the Tongass National Forest and 4 million in the Chugach National Forest.

Like BLM, the Forest Service is a multi-use agency that manages timber, wildlife, water and recreation.

The big change for the Forest Service has been the Roadless Area Review and Evaluation (RARE II) process. Under RARE II, the Forest Service has sent recommendations to President Carter concerning which areas of Forest Service land should be designated as wilderness, and remain roadless.

About five million acres in Alaska have been recommended for wilderness designation under RARE II.

The federal Fish and Wildlife Service has jurisdiction over 33 million acres, including 10 million in the Yukon Flats National Monument.

The Fish and Wildlife Service manages prime habitat areas for migratory species. For example, the service sets regulations for 8.9 million acres in the Arctic National Wildlife Range to protect habitat for bear, caribou, sheep and waterfowl.

ANDRUS . . .

(Continued from page C-20)

question is whether oil development can go hand in hand with the protection of wildlife. Do you think that is possible? Or are the two mutually exclusive goals?

A: It is possible with some species of animals. For example, the Kenai Moose Range. There we have oil and gas production where you have a resident species of wildlife.

The moose and the bear are different types of animals than a migratory caribou herd. We have experience from the western caribou herd where man has split them up and decreased their numbers. Now, I don't want to see that happen to the Porcupine caribou herd.

Yes, in many areas, protection of wildlife and oil production can go on simltaneously, but on the Arctic Wildlife Range where you have the fragile ecosystem and these very sensitive or tempermental migratory animals, I'm not sure that it can take place there yet.

If you could in fact drill from the coast—slant drill or some other technology—that would make it possile to drain some of those basins, and if the developmental aspects did not take place at the time of the year of the migration—mid-April to mid-July—it probably would not be that much of a problem.

But to do that, it will take greater technology than what we have today. What I'm saying is let's put the eager beavers to work in other areas in the interim and save the Arctic Wildlife Range for last.

Q: How does the administration propose to deal with inholdings within federal conservation units? Will the property be condemned, bought, or will the owner be able to stay there for a specified length of time?

A: Inholdings will be recognized as just that—legitimate inholdings. Some of them are mining claims that are valid, others are old homesteads. We do not foresee any move by the federal government to condemn land holdings as long as they continue in their present way.

If somebody wanted to do something on an inholding that would be detrimental to the public domain adjacent to it—destroy the water quality, for example—then we would have to look at it as a possibility.

But if you're talking about the trapper's cabin, that's utilizing a renewable resource that could go on forever. If they wanted to take that same little inholding and build an open pit mine or a condominium complex or something that would destroy the water quality, then you've got a different situation.

Q: What are you doing to speed conveyance of state and Native lands

A: We're increasing the capability—that is, manpower—in Alaska for the conveyance of lands. We added 23 people in the conveyance office in Alaska. We think that once the program is up to speed we can convey about 13 million acres of land per year. We'll probably convey 8 million next year and 13 million the year after.

Q: Do you think the fears of some Alaskans that an environmental d-2 bill is incompatible with a healthy economy are justified?

A: No, an environmental d-2 bill and healthy economy are compatible. A lot of the lifestyles of Alaska that the people are trying desperately to protect could be destroyed by over-development.

For example: commercial canneries and the fisheries industry—both sport and commercial—could well be destroyed if you permit the water quality of those inlet rivers to be destroyed. The spawning grounds for the salmon and the other aspects of that industry have been there for a hundred years and will continue into perpetuity if it is managed and taken care of.

There are people in Alaska who do not want to see development in every drainage. They want to continue a trapping lifestyle by Native and non-Native that also could be destroyed if you have too much pressure by man.

It's a critical balance that we seek. And I would say that the administration proposal, if enacted into law, comes very close to solving that. Once it is passed, it not only will protect some areas, it will clarify the situation so that the developmental interests will move into the available areas.

They can keep their bulldozers and their oil rigs and their mines going for many, many, many years on those areas that are open for development. Twenty years from now some people in Alaska will look back and say, Thank goodness someone protected some of our land, or it all would have been destroyed.

I think Alaskans are pretty well evenly divided on the question of development versus conservation, one lifestyle versus another. I think there's a lot of outside interests that have contributed to the emotionalism and apprehension within the state of Alaska.

They want to get in there and plunder some of these sensitive areas. In Alaska, like in my state and others where developmental interests from the outside have come in, that money doesn't stay in Alaska. It finds its way into Wall Street and Los Angeles, with very little local benefit other than salaries to those on the payroll at the time of extraction.

Q: Under what circumstances do you foresee oil development in the National Petroleum Reserve in Alaska. In the president's budget, you recommended that the federal program there be shut down.

A: I think just standard procedure of the development of the oil and gas potential of Alaska will see in the future—and not too distant future—a competitive bid or sale where private industry would move into Pet 4 utilizing the information that we've been able to amass.

But first of all we've got to complete the drilling program in '79 and finish it up in '80 so we can make that report to the Congress and then Congress will be making that decision.

Q: What is your reaction to the state Fish and Game Department's plans to protect the moose population for subsistence users by permitting aerial wolf hunts?

A: My reaction is, number one, that the state of Alaska should manage the resident species. I've supported that in the courts; I support it philosophically; I support it every way I can. But I think it's dumb on the part of some of the managers to incur the wrath of some people on this issue.

I don't know whether there's scientific evidence backing up the fact that the wolves are depleting the moose population, but it's just another emotional red flag that we don't need at this time. But, as I said, the state of Alaska, like the stated of Idaho or Montana or Washington, are the ones that should manage the resident species.

The only time the federal government should get involved in that is if a resource is being depleted and the state needs our assistance to help them study why.

The lobbyists

Special-interest lobbyists invade Capitol Hill as Alaskan land bills move through Congress

By LAURIE MCGINLEY
News-Miner Bureau

WASHINGTON—"There was so much arm-twisting last week," one congressional aide said recently, "that the place was bloodier than the Civil War."

As the House Interior Committee tackled a series of major decisions on Alaska lands proposals, the professional arm-twisters—the lobbyists—emerged in full force.

Like door-to-door salesmen, they seemed to be around every corner, peddling provisions on access, subsistence, wilderness and conveyance.

They differed in their styles and spiels, but their goal was the same. "We're not here to give it the old college try," said one oil lobbyist. "We're here to win."

To that end, the pro-development, pro-environment, pro-oil, pro-tree, pro-mineral and pro-salmon lobbyists crammed into hearing rooms, waiting rooms and schedules, armed with testimony, telegrams and dinner invitations.

On Feb. 28, the night before the committee made its final decision on what d-2 bill to report to the floor, every Alaska lands lobbyist in town must have come swarming to the hill, according to one observer. They took people to dinner, they took them out for a beer. They wanted to make sure they got their point across.

The congressmen, you can be sure, got the point. It's difficult not to when you're dealing with environmental organizations representing millions of people nationwide and industry spokesmen from billion-dollar corporations.

Despite a federal law requiring lobbyists to register, it's impossible to know how many are on the d-2 issue at any one time. For one thing, they only must register themselves, not the bill they're out to boost or torpedo. For another, most professional lobbyists are switched from one issue to another, depending on the urgency.

The complex issue has formed a web of alliances. But for all practical purposes, the lobbyists belong either to the environmentalist camp, led by Reps. Morris Udall, D-Ariz., and John Seiberling, D-Ohio, or to the development-oriented, headed by Rep. Don Young, R-Alaska.

Lobbyists on both sides claim the other's campaign is bigger, stronger and wealthier. But each seemed to have about the same manpower—a half-dozen people working the hill fulltime and dozens more lobbying part-time or providing crucial support services like copying, scheduling and conducting mailings.

Most lobbyists speak for environmental organizations representing millions of people nationwide and industry spokesmen from billion-dollar corporations.

The state-industry effort to get a pro-development bill is coordinated primarily by three men: Tony Motley, president of the Citizens for the Management of Alaska's Lands; John Katz, special d-2 counsel to Gov. Jay Hammond, and Bill Horn, Young's Interior Committee aide.

Through them are channeled lobbyists with a variety of backgrounds and experience.

There's the Exxon oil representative who wants energy exploration allowed in the Arctic National Wildlife Range. There's the hunting guide worried about the effect of national park status on his livelihood. And there are representatives from the mineral, timber and fishing industries, from the state and from sportsmen's groups.

"Everyone has his own special interest, so it's important to impress on them the necessity of having some kind of unified front," Horn said. "We're at somewhat of a disadvantage because d-2 is a second, third or fourth priority for many of the major industry lobbyists. Not first, as with the environmentalists."

Motley came to Washington for six weeks in April 1977 to set up CMAL. He hasn't left.

In creating the lobbying group, he decided to follow a formula perfected by lobbyists who successfully relaxed anti-pollution standards by passage of the Clean Air Amendments. He formed a coalition of people he thought would be hurt most by an environmentalist d-2 bill—business, labor and the recreational trade.

Attracting 50 firms and associations like Atlantic Richfield, AFL-CIO, the National Rifle Association and the Four Wheel Drive Club, Motley organized the Alaska Lands Group. The group's executive committee meets regularly to devise strategy and divvy up assignments.

"You better believe when representatives from business, labor and the NRA come walking through the door together, a congressman stops and listens," Motley said.

Judy Baird, a lobbyist for the Anaconda Co., has been working fulltime on d-2 for almost two years. Her firm's concern: $8 billion worth of deposits it fears may become inaccessible.

"You would think I'd only have to know about a mining company's problems," Baird said. "But I don't. I have to be able to answer questions about any part of the bill, including the Native, state, subsistence and oil and gas provisions. It's extremely time-consuming. And the situation changes from day to day."

If the pro-development forces sound busy, it's because they have to be, says Chuck Clusen, head of the environmentalist Alaska Coaltion.

"Thanks to President Carter's Antiquities Act actions, they want a bill worse than we do," Clusen said. "If we don't get a bill, the land will be protected anyway."

The coalition, made up of about 40 environmental, community and labor groups throughout the country, has the advantage of having a broad-based, grass-roots constitutency that routinely responds to the board of directors' call to arms.

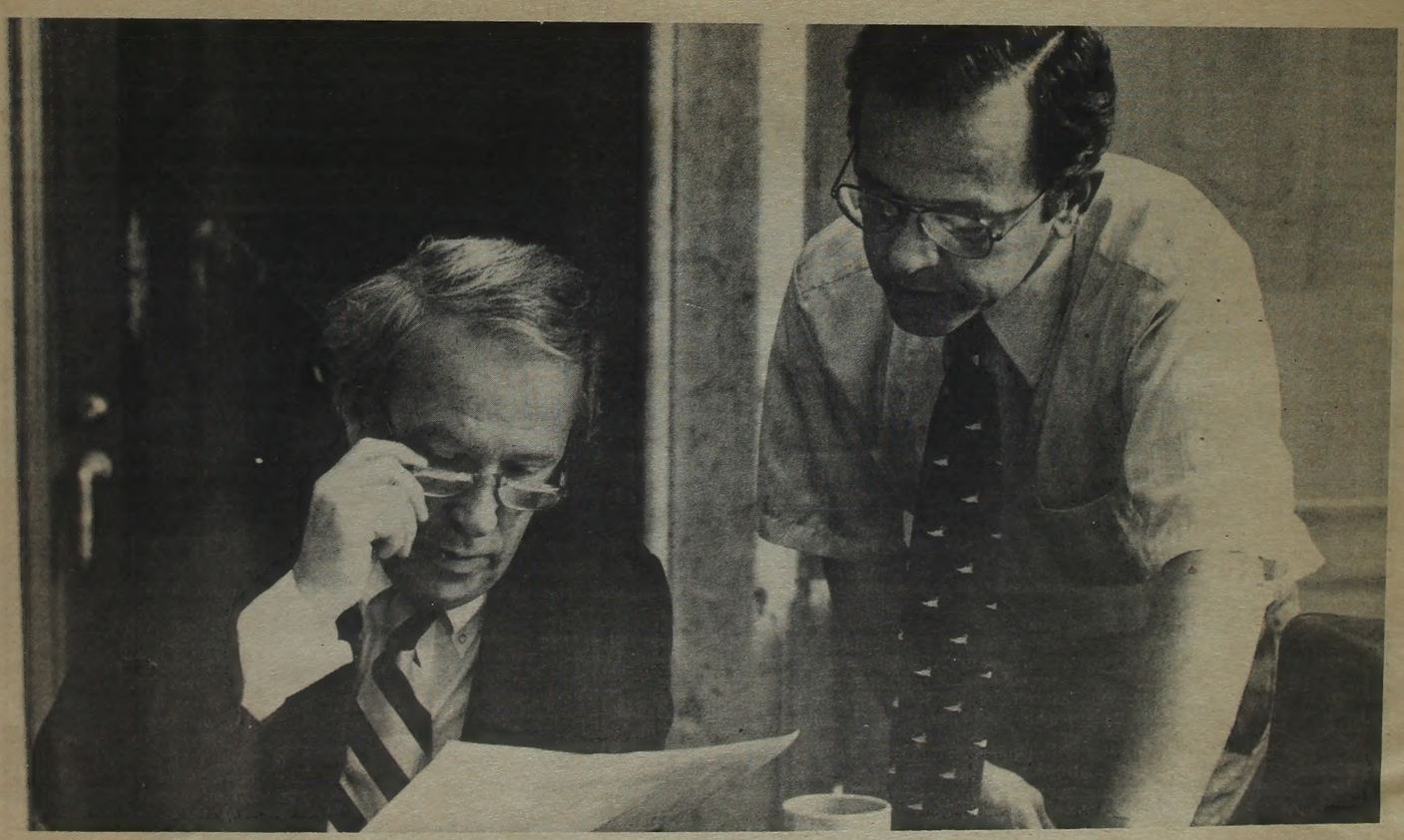
Even without prodding, many of the members out in the field are anxious to get involved, according to Kathy Smith, vice chairman of the coalition.

"We're flooded with phone calls almost every day," she says, "so we tell them to write, telephone or visit their congressmen."

While coalition-paid lobbyists and volunteers knock on congressional doors, other coalition staffers—like Dave Levine of the Sierra Club—perform the tedious but invaluable task of researching the environmental affects of the various Alaska lands proposals.

When amendments or substitutes are offered, Levine confers with biologists in Alaska to determine the impact on the wildlife.

The most effective lobbyists, of course, are usually the congressmen themselves and their aides. Only the member can do the horse-trading so often necessary to move an issue off dead center.



SENATE DELIBERATION—Sen. Henry Jackson, D-Wash., chairman of the Senate Energy Committee (left) discusses a point with Sen. Ted Stevens, R-Alaska, during a committee hearing last year on proposed Alaska land bills. No bill reached the Senate floor but Jackson and Stevens worked with other House and Senate members on a proposed compromise bill that died with Congressional adjournment. The House Interior Committee recently reported out an Alaskan lands bill virtually identical to the compromise worked out last fall.

POLAR
PAM
5178

POLARPAM

What you think does matter...

It is important that you let others know what you think about the federal land withdrawals in Alaska. As long as the "silent majority" chooses to remain silent, its opinions will remain a matter of conjecture and have negligible policy making influence. We urge you to write members of the congressional committees listed below and let them know what you think.

Senate Energy and Natural Resources Committee

ROOM 3106, DIRKSEN OFFICE BLDG., WASHINGTON D.C., 20510

Democrats

Henry M. Jackson, Wash.
Frank Church, Idaho
J. Bennett Johnston, Jr., La.
Dale Bumpers, Ark.
Wendell H. Ford, Ky.
John A. Durkin, N.H.
Howard Metzenbaum, Ohio
Spark Matsunaga, Hawaii
John Melcher, Mont.
Paul Tsongas, Mass.
Bill Bradley, N.J.

Republicans

Mark Hatfield, Or.
James McClure, Idaho
Lowell Weicker, Jr., Conn.
Pete Domenici, N.M.
Ted Stevens, Alaska
Henry Bellmon, Okla.
Malcolm Wallop, Wyo.

House Merchant Marine and Fisheries Committee

1334 LONGWORTH BLDG., ANNEX 11, WASHINGTON D.C., 20515

Democrats

John M. Murphy, N.Y.
Thomas Ashley, Ohio
John Dingell, Mich.
Walter Jones, N.C.
Mario Biaggi, N.Y.
Glenn M. Anderson, Calif.
E. (Kika) de la Garza, Texas
John B. Breaux, La.
Gerry E. Studds, Mass.
David R. Bowen, Miss.
Carroll Hubbard, Jr., Ky.
Don Bonker, Wash.
Les AuCoin, Ore.
Norman D'Amours, N.H.
James Oberstar, Minn.
William Hughes, N.J.
Barbara A. Mikulski, Md.
David E. Bonior, Mich.
Daniel Akaka, Hawaii
Michael Myers, Pa.
Joe Wyatt, Jr., Texas
Michael Lowry, Wash.
Earl Dewitt Hutton, Fla.
Edward J. Stack, Fla.
Brian J. Donnelly, Mass.

Republicans

Paul N. McClasky, Calif.
Gene Snyder, Ky.
Edwin Forsythe, N.J.
David C. Treen, La.
Joel Pritchard, Wash.
Don Young, Alaska
Robert E. Bauman, Md.
Norman F. Lent, N.Y.
David F. Emery, Maine
Robert K. Dornan, Calif.
Thomas B. Evans, Del.
Paul S. Trible, Va.
Robert Davis, Mich.
Bill Carney, N.Y.
Melvin Evans, V.I.

Send copies of this section "outside"

We also urge you to send copies of this section to people in other states whom you feel should be informed. Send copies to friends, relatives, to congressmen from the state in which you used to reside, to the editor of your former hometown newspaper and to anyone else whom you think would be helpful in influencing a just settlement for Alaska. Copies are free while they last. Pick them up at the News-Miner office.

Our Opinion

Tying up Alaska's land and resources:

What will it do to America?

It's no surprise that the federal government's few decisions in Alaska's favor come in times of crisis. The oil pipeline was approved by a one-vote margin during the 1973 "energy crisis." The gas pipeline was cleared for fast action during the natural gas shortage two years later, and has lagged since gas supplies caught up again. The fresh look Congress is taking at our state this year comes with the worldwide instability among our oil and minerals suppliers.

Alaskans realize there are national interests on both sides of the Alaska lands issue. Most of us feel Congress would serve our state and the national interests best with fast action on matters other than land withdrawals, and we've found many good friends in other states to help us argue this case.

Oil is Alaska's primary natural resource export now. The gigantic Prudhoe Bay oil field is the largest ever discovered in North America and it's the biggest new addition to our nation's oil supply in decades. The Prudhoe Bay field is on state-owned land acquired under the Alaska Statehood Act, and its oil is produced under the most strict environmental controls in the nation.

But there's more oil and gas in Alaska, and we already have a pipeline and proven utility corridor to handle new production. Much of this new oil lies under federal land in the new park proposals, or on land that will have its access blocked by federal land withdrawals. At a time when America needs more oil from stable sources, for itself and its allies, it's silly to inhibit new oil production on federal, state and Native lands.

Despite this, oil exploration is down to a few dozen wells a year and has largely been forced offshore to federal waters where environmental hazards are greatest. The executive branch has created new national monuments to "protect wildlife" in the same areas where it's now expanding offshore oil lease offerings. Conservation is conveniently ignored by the federal administration where it suits its own development programs.

Alaska's hard minerals industry is also ready to step in where foreign minerals suppliers are faltering. Alaska has all but two of the nation's list of strategic minerals, and a few of those precious minerals are found only in Alaska.

America is no longer independent in its most important minerals, and to rely more on exports will only make our foreign policy more open to pressures from other nations. It will also make more expensive our new cars that are burning that ever more scarce gasoline.

Hardest hit has been the timber industry, as any homeowner can testify when asked about recent construction costs. Millions of acres of forests in Alaska's coastal areas and Interior are among the new land freezes that will only put more pressure on the fragile second growth areas of other states.

Finally, for the real wilderness interests in Alaska, we hope that federal land decisions won't bar our log cabins and traplines along with the strip mining and pipelines that our land is "protected" from in federal actions. We've lived in Alaska for many years without damaging the precious wilderness characteristics of these areas now proposed for parks, and Alaskans will take even better care of all our land in the future.

We're glad to see Congress taking a second look at federal land policies in Alaska, and we trust it will go far beyond the simple "development vs. preservation" arguments presented to it in Washington D.C. The futures of all Americans hang on these decisions this year.

What will it do to Alaskans?

In Alaska we have a big stake in how our public land is managed. Not only does the federal government own most of the land, but classification of federal land decides whether we'll have access to our own state land, and affects our lifestyles and our economy as well.

Twenty years ago, the Alaska Statehood Act promised us 103 million acres of federal land. The objective was to give the new state a land base on which to build a stable economy. The promises haven't been kept. Federal land managers immediately started throwing up barriers.

First came the 1966 land freeze by Secretary of Interior Stewart Udall. The Native land claims weren't settled until five years later, and with that there was a further withdrawal of 83 million acres under section 17(d)(2) of the Alaska Native Claims Settlement Act for future parks and wilderness areas.

Congress didn't act on those withdrawals, and last year the Carter Administration created 56 million acres of new national monuments more restrictive than what had been considered before, and withdrew twice that amount for wilderness study.

Now Congress is trying again to resolve the parks and wilderness question. Powerful special interests are fighting over Alaska's future. We'd hope the interests of the average Alaskan are considered too.

Alaskans want a sensible pace of development. We'd prefer that development occur on state-owned lands where we can enforce our strict state environmental laws and keep part of the earnings in our state. No Alaska lands bill will be acceptable to us unless it hastens conveyance of land to the state and Natives.

We also want full management of our fish and game, as promised in the Statehood Act. Our state has done a good job managing fish and game. We've proven that hunting is compatable with game conservation. Federal interference, on the other hand, has caused our major game management problems.

Congress has a right to make national decisions about Alaskan land, but we think the decisions should consider the effects on Alaskans too. We can maintain our lifestyles without hurting the land where we live, and we can chart our own state's future while protecting wilderness land for future generations. We can shape a healthy state economy that will provide raw materials badly needed for the nation, if Congress acts with reason.

Neo-colonialism at home

What others say

It is fashionable to attribute the lack of economic development in the Third World to decisions made from afar about its natural resources. The colonial administrators departed, the story goes, only to be replaced by neo-colonialists in London, Bonn, Paris and Washington, who locked up Third World resources in uses that kept the emerging nation-states poor. This explanation of Third World poverty still inspires a great deal of outrage against the U.S. among university people and provides excuses for socialist failures in the Third World.

We are puzzled why this doctrine is so narrowly applied. It seems to us that it is at least as good an explanation for the growing lack of economic development in Alaska and the western states. After all, a New Yorker and an Alaskan probably have less in common than Washington and Third World bureaucrats who shared an Ivy League education. We wonder if it is true that all imperialists are foreign, or whether there are domestic ones, too.

One characteristic of imperialists is that they don't rely on consensus politics, as happened the other day when 121 million acres of Alaskan lands got locked up. The Senate wouldn't do it, so the president and Interior secretary did. Citing "emergency" conditions, the Interior secretary used the Federal Land Policy and Management Act of 1976 to close off development of 121 million acres for three years. This is the first emergency withdrawal under the act, and if it is any indication of what to expect, the entire country will be locked up in a few years.

The president also invoked the Historic Sites and Antiquities Act to permanently set aside 56 million of the acres as national monuments. To put this in perspective, prior to his action, about 9.5 million acres had been set aside under the act since it passed in 1906.

Protecting the Alaskan lands did not require insult and injury from the president and Interior secretary. Most of the lands were already protected under the d-1 section of the Alaska Native Claims Settlement Act. The failure of the Senate to arrive at a consensus decision in the last session of Congress did not expose these lands to "rape, ruin and run," or to anything other than a few hunters.

People in the eastern U.S. might not know the size of 56 million acres. That's roughly New York state plus most of New England. The 121 million acres equals the land area of eastern seaboard states from Maine down into North Carolina. We have heard about the power of special interest lobby groups before, but we have never seen anything like this.

And it is only a small part of the story. The Alaskan land lock-up at least involves public lands. Throughout the western states private land is being locked up as well as a result of non-degradation air and water standards. To bring undeveloped privately owned western lands into development is now next to impossible, and to expand development in developing areas has been made more difficult. It is, after all, difficult to do anything when air and water must remain pristine.

Whatever the intention, the result has been to hold down the economic development of the western states, thus protecting the eastern labor unions, industrial plants and resources from competition.

The withdrawal of large amounts of public land from the nation's resource base would seem to be properly a role for Congress. The president received a letter urging him to make the unprecedented withdrawal from Rep. Udall and the House Interior Committee. According to the letter, "Protection for the American people's Alaskan treasures is required to insure that the decisions concerning these public lands are made by the people's representatives, and not by private interests."

Somehow we feel uncomfortable with the thought that Senators are not the people's representatives, but an Imperial President is. Instead of suing the president, maybe the state of Alaska should take its case to the UN.

The Wall Street Journal